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# BIENNIAL MESSAGE

OF

# Governor Hiram W. Johnson

TO THE

## Legislature of the State of California

## 1917

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CALIFORNIA STATE PRINTING OFFICE
SACRAMENTO
1917

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# Biennial Message

OF

# Governor Hiram W. Johnson

TO THE

## Legislature of the State of California

## 1917

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SACRAMENTO
1917

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# BIENNIAL MESSAGE

OF

# GOVERNOR HIRAM W. JOHNSON

EXECUTIVE DEPARTMENT,
STATE OF CALIFORNIA.

*To the Senate and Assembly:*

In accordance with custom and the requirements of the constitution, I transmit this to you as my biennial message.

In four regular sessions of the legislature and two special sessions, we have together been striving for the common good. What otherwise would be a mere formal act in transmitting a biennial message to you, becomes with me a very solemn moment as I contemplate the last six years, with its early fears and hopes and aspirations and dimly seen possibilities, the first striving and struggle, the barriers apparently insuperable, one by one battered down, and then a great people entering the sunlight of political freedom and pressing forward upon the path of democracy triumphant.

In six years California has witnessed a complete political revolution, a unique metamorphosis in economic policies. To many and varied activities a new philosophy of government has given an impetus which no reaction can check. The newly created departments of state have duties widely divergent, covering fields far removed from one another, but all radiating from a common purpose and from a single policy, announced in the inaugural address of 1911, initiated in the legislative session of that year, and since then pertinaciously and consistently carried out. It is my purpose in this my last biennial message to present to you not alone a recital of the public service, but the underlying principles and the partially attained ideals which have been vigorously fought for and rigorously adhered to.

Prior to 1911 for two generations our state had been dominated politically and industrially by one railroad corporation. The selfish domination by this one transportation and commercial enterprise had made California one of the most backward of states. The old and the cynical method of government responding alone to a private interest, scarcely heeded the problems that had come to democracy, with modern machinery and modern invention, and the marvelous development of later years. The government of the old order had placed its emphasis alone upon property rights and little or none on human rights; had been concerned too much with problems of wealth and not

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enough with problems of poverty. Untouched were the evils unknown to our republic in its earlier days, but which had crowded upon us in recent years—the evils of unemployment, the evils of inefficiency, the evils of the slums, the evils which spring from the misuse of economic power; in short, all the evils which constitute the great and fundamental problem of poverty.

At first indistinctly and then clearly, our thoughtful and patriotic men and women saw that government must take a new attitude toward the governed, or ultimately perish utterly; that not only must it continue to protect the wealthy against depredations by the poor, and maintain its police and its armies, but that it must protect the poor also against exploitation, chicane and injustice. Not alone must it serve and safeguard and maintain its material and its business interests, but it must better protect the weak against the strong, and must serve not only the public domain and the public money and property, but also the manhood and the womanhood and the childhood of the community, which are the best assets of the state.

We saw the changes in the social and economic system which had brought woman into the industrial field required that she should have a vote and a right to participate in the public life of the state which so intimately affected her welfare and the welfare of her children. We realized that we could not by our efforts or in our generation solve the problem of poverty, but we finally came to understand that we could attack it in detail, and accomplish a little of good; and that we could substitute in state government the spirit of social service for the spirit of gain, of graft, and of power. We believed that we could make the state government not only an agency for conserving wealth and protecting it against theft and violence, but an agency which, by conserving the common good in many directions, could become a valuable servant to every member of the community.

Our first problem, that of restoring the state government to the people, was attacked by removing from every responsible position, every servant of the old regime and filling their places with men whose loyalty was to the people alone. The old Railroad Commission, which had been merely a bureau of the railroads and had never attempted to exercise its powers, was supplanted by a commission composed of a different stamp of men, who, with enlarged powers have regulated the corporation which formerly regulated the state. Through the State Board of Control, through the Civil Service Commission, and through other agencies, the task of making and keeping the state government efficient, economical and responsive to the public interest was completed. By the initiative, referendum and recall, the Australian ballot and direct primary and other such measures the people have been placed in a position to protect

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themselves in the future against recurring attempts which will be made by groups of corporations and special interests to capture again the government of the state.

The program of social and human legislation was our next step. Through the establishment of workmen's compensation, through woman's suffrage, through child labor laws, through the work of the Industrial Welfare Commission, whose chief endeavor is to establish a minimum wage and decent conditions for women who toil, through the Social Insurance Commission, whose principal task at present is to create a system of health insurance, through the work of the Labor Commissioner, the public employment offices, through which many of the ills and troubles of seasonal, unorganized and unskilled labor have been mitigated, through the Commission of Immigration and Housing, which, cooperating with the Labor Bureau has corrected and is in a way further to correct, the abuses and horrors of labor camps in the country and tenements in the cities, through the radical reform and improvement of reform schools, and penitentiaries, through numerous laws designed to better the conditions under which men and women work, such as the eight-hour law for women, and for underground miners, and the full-train-crew statute, through many other efforts and in many other directions, the state of California, since 1911, has relieved the economic pressure on men, women and children, has helped them to secure a larger share in the products of their toil, and the good things of life, and a more comfortable place in the sun.

The government of the state has been brought more closely home and made more useful to the ordinary citizen who pays the bills by the construction of highways, by the extension of the university, especially in the agricultural department, by the reconstruction and admirable administration of the harbor in San Francisco, by improvements in the school system of the state, by the provision of free textbooks for all pupils, by the efforts to solve the problem of reclamation and flood control, by the work of the State Market Commission and by many other activities of like character.

Supplementing the old laws which protected wealth against poverty, the state now protects poverty against dishonesty and exploitation by the regulation of weights and measures, and by the pure food laws, by the work of the Commissioner of Corporations, enforcing the Blue Sky Law, by the redlight abatement act, by the requirement of periodical payment of wages, by the activities of the Bureau of Labor and the Housing and Immigration Commission in the collection of claims of the unfortunate and the needy, and by various other measures designed to guard the ignorant, inexperienced and unfortunate against the crafty and unscrupulous. All these accomplishments, none of them

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revolutionary, most and indeed, all of them, so successful and satisfactory in operation as to have nearly stilled the voice of opposition, have been steps forward in a consistent endeavor and in a fixed policy, first, to make the government of California democratic, and popular; secondly, to make it honest, efficient and more widely useful to the whole people; and, thirdly, to solve in such measure as is possible to a state government, the problems that spring from poverty and from the conditions of the modern civilized world.

Six years ago, we had a government that was owned and dominated, controlled, directed and manipulated, by a single corporation; to-day this government belongs to *all* its people. Six years ago, there was little heed of our humanity, by government. We have now learned that the first obligation and duty of government are to its men and its women and its children. Six years ago, California was one of the most backward states in the nation; today, in its care of humanity and in social and industrial justice, it is the most advanced state where democracy obtains.

This regenerated state, this rejuvenated government, I shall soon leave to you and my successor. I shall leave it with the sorrow and regret that one ever leaves that which, with all that God has given him, he has striven for and fought for and won. I shall, however, lay down my work and rest it within a brief time with you and my successor, with full confidence that you and he will maintain and conserve, protect and preserve, with the same jealousy and the same singleness of purpose, the marvelous advance, achievement and accomplishment of our commonwealth.

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## THE REGULATION OF PUBLIC UTILITIES AND THE RAILROAD COMMISSION.

The story of the Railroad Commission in striking and startling fashion illustrates the revolution in California's government. Prior to 1879, the system which finally made of our government a pitiless railroad despotism had been developed. In that year, a new constitution was submitted to the people, providing for a Railroad Commission with regulatory powers. Under the system which had been gradually developed, however, the politics of the state were controlled by one great transportation company, and by the simple expedient of selecting the Railroad Commissioners and making the commission a part of its commercial system, the railroad company rendered nugatory the constitutional provision from which the people had hoped so much. Political organization was perfected by the railroad company, in every part of the state, and under the old convention system this organization was invincible. The government was seized and despotically administered. The political power gave financial dominance and the power was used for commercial pillage. The rebate was a dual instrument of commerce and politics. The pass was a petty bribe to the convention delegate. Upon the industries of the state, upon the produce of the farmer and upon the shipments of the average merchant, there was levied an extortionate toll. The Railroad Commission was but a mockery of the hopes and aspirations of a great people. During one year of its thirty years of existence, prior to 1910, the receipt of a single letter constituted its sole business. The first gleam of sunshine came to our people with the direct primary in 1910. With the opportunity to choose for themselves under a direct primary the people rose in rebellion, changed their public officials and looked forward to the fruition of the promise of the successful candidates to eliminate the corrupt corporate influence from government. And then commenced the period of reconstruction.

The Railroad Commission, under the leadership of the late John M. Eshleman, with his colleagues, Alexander Gordon and H. D. Loveland, backed by all the power of the state administration, wrought an almost unbelievable transformation. Appropriate legislation was passed in 1911, and constitutional amendments submitted to the people at a special election called in October, 1911, at which those amendments were adopted. A special session of the legislature was called that year and at that session a new public utilities act was passed and the Railroad Commission made appointive and enlarged to five. The additional members appointed were Max Thelen and Edwin O. Edgerton. Mr. Eshleman

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served until January, 1915, with a distinction that has won him the unbounded love of a grateful people, and has given unto him a lasting fame. In his stead Frank R. Devlin was appointed.

The change in 1911, with a rejuvenated Railroad Commission, was startling and dramatic. Cynical opposition was met by full determination; thirty years of political dominance by a regenerated public service; the power of entrenched special privilege with the power of a freed people, and the result was not long in doubt. The entire public utility rate schedule of the state of California was reconstructed, discrimination and extortion were eliminated from the business life of the community. The work began with the railroad rates in the San Joaquin Valley and was completed there with a total reduction of $750,000 a year. Then rapidly followed in every section of the state the reduction of excessive rates. Reductions were made only after careful investigations and painstaking hearings and the justice of the reductions was demonstrated by the fact that none of the carriers attacked them in the courts. It would be impossible, within the limits of this message to detail the work that has been done by the Railroad Commission in the investigation and reduction of freight rates in this state and I must content myself with saying that every section of California—the Imperial Valley, the Owens River Valley, San Pedro and Los Angeles, the mountain territory and the great Sacramento and San Joaquin valleys—indeed, every community and every part of the state, felt its beneficent results. Not only did the commission justly reduce the railroad transportation rates, but after two years of the most scientific investigation reduced Wells Fargo & Company's express rates $750,000 a year and nothing better illustrates the need and the justice of the work that the Railroad Commission is doing than the facts found in the Wells Fargo case. Here, it appeared, that this corporation beginning with a few thousand dollars, from the profits it had been able to take from the people and investments therefrom had declared in one year a dividend of $25,000,000.

Of course, the opposition to the work of the commission was vociferous and bitter, but it was the opposition of what had been a sovereign corporation to what was now a sovereign people; and while that opposition ever will continue, and through its journalistic advocates will ever be just as vociferous and bitter, so long as a sovereign people rule and public servants have no allegiance except to the state, there will be the same triumphant result.

The commission undertook as well a revision of long distance telephone charges and though they lessened those charges by $526,000 a year, the decision was accepted without contest. In like fashion, the rate schedules of the electric and gas companies have been regulated,

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and by the reductions made nearly 250,000 families have been affected and the annual saving will exceed $1,000,000. Not only have the rates been lowered but the character of the service has been improved through field and laboratory investigations. The utilities had promulgated and enforced for a quarter of a century a peculiar doctrine that their patrons should furnish facilities to the corporations and then pay a return to the corporation upon the property which they had thus given, and so long had this process been successfully pursued, that the corporations had come to regard it as a matter of legal right. It was found, for instance, that as prepayment for services, patrons of California utilities—gas, electric and telephone—had been obliged to deposit the enormous sum of $1,250,000. All this has now been changed.

The procedure of the commission is free from the usual restrictions that govern other judicial tribunals. Its object is to obtain the facts and then reach a just determination. Technicalities are unknown in its processes. It tries from three to four formal cases daily. It conducts its work with a dispatch which contrasts strikingly with the ordinary methods of courts. It keeps apace of its work and its decisions are speedily rendered and so accurately, apparently, that not a single rate revision has been disturbed by the courts.

In its informal, or correspondence department, the commission adjusts an average of ten issues daily. During the last five years it has rendered 4,000 decisions, passed upon 3,300 distinct and formal matters which required the taking of testimony before determination. Its informal adjudications are many thousands. A two-cent stamp, a mere post card, may invoke the aid of the whole force of its organization, and complaints thus informally presented have led to some of the most important investigations and decisions. The general reduction of public utility charges in the state of California reaches an aggregate of $8,000,000 per year.

The cost of life's necessaries in the United States rising ever higher has imposed upon every home an additional burden; but in California, we may take a reasonable pride in the protection afforded against rising costs in public utility service. While costs in other fields have mounted higher and higher, the gas and electric and telephone charges here have steadily fallen, and all of this has been accomplished not only without injury to the public utility corporations, but actually to their advantage. Legitimate and solvent public utilities now seek what at first they resented, the approval of the commission of bond issues, financial reorganization and the like. Their securities have an added value when passed upon favorably by the commission. Business legitimately conducted has been materially aided, and the statistics show the great increase in investment of outside capital. The justice of the



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decisions of the Railroad Commission, the beneficial results of their supervision and control of public utilities are attested by the very representatives of these corporations.

Of course, as in the activities of every human agency, decisions doubtless have been rendered by the Railroad Commission which have not met with universal approbation, but in the multiplicity of its work, the rarity of such instances is remarkable. The commission in its dealings has not alone come in contact with the most powerful influences in the state, but with the most humble as well. No complaint has been too small, no complainant too humble, to have its full attention. No power has been too great to be attacked and regulated when attempting injustice or wrong. It has finally demonstrated that the people of the state of California represented by their duly elected officers, are greater and stronger than any agency within the state, and that all alike must yield to the common good.

## STATE BOARD OF CONTROL.

During the past six years California has demonstrated that public business can be conducted as honestly and as efficiently as private business. The natural corollary of the old political system of California, as dimly pictured in the brief description of the Railroad Commission, was a lax, inefficient, and corrupt administration of the business of the commonwealth. It seems incredible now, that prior to 1911 there had not been for many, many years a state audit; that there was no centralized control over the business conducted by the state, no mode of accurately determining the necessity and amount of appropriations, and no supervision which would preclude favoritism in bidding. The despotism of a single transportation corporation, in our government, brought, of course, every ill to which democracy is heir, and with the elimination of that corporation and the return of the government to the people, it was obvious that there must be accomplished not only political reform, but economic and business reform as well.

The legislature of 1911, therefore, passed the law creating the State Board of Control, and gave to that board plenary powers over the business and financial affairs of the state. The board which was first appointed to undertake a task in relation to the business of the state as great as that of the Railroad Commission in reference to the regulation of public utilities consisted of James A. Johnston, John Francis Neylan, and Clyde Seavey. Mr. Johnston was succeeded by Fred C. Nelles, and he in turn by Wm. H. Humphrey and F. H. Bloodgood. Mr. Seavey was succeeded by Paul Herriott.

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Investigations at once were held by the board, and corruption and fraud in the business of the state were uncovered. Ruthlessly the old methods were destroyed and the individuals who were guilty were removed from the service of the state. But the great work of the board was to systematize the business of California in such way that it might challenge comparison with the system in vogue in those great business concerns that are models of commercial enterprise. The problem presented was to organize an institution doing a business of approximately $15,000,000 a year in which for a quarter of a century the controlling thought had been the operation of the enterprise for the benefit not of the stockholders, but of a favored few.

The investigations of the Board of Control disclosed that during twenty years preceding 1910, $200,000,000 of the taxpayers' money were expended on the construction and maintenance of state institutions and departments without an audit; that the state law governing the award of contracts was frequently ignored that fraud might be practiced; that many reputable business houses would not do business with the state; that contractors had control of the business of certain departments and institutions; that it was not uncommon to deliver inferior materials where superior were contracted for.

This summary of the results of the investigation by the Board of Control is but a mild statement. The records on file of the investigation of certain institutions, the state printing office, and various individuals will disclose conditions of inefficiency and corruption that beggar description, but which were the necessary results of the old political machine methods. The old system has now yielded to the new order. The old log rolling methods, inefficiency, fraud, corruption and political control have been displaced by a budget system, a searching financial supervision, modern business methods, economy and efficiency.

The Board of Control conceived the idea that there should be some method of determining in advance of a legislative session the amount and the necessity for the various appropriations for the state institutions. The system by which the managers or superintendents of state institutions were required to dance attendance during a legislative session, log rolling to obtain the highest possible appropriation, was admittedly an imposition upon the state, and a system distasteful to those who desired to devote themselves wholly to the labors of their particular activities. The Board of Control devised the plan, therefore, of making a budget for each legislature; and although there is no written law upon the subject, by agreement between the board and the Executive, and by understanding with the various institutions, the Board of Control has its hearings in conjunction with the controller, prior to the session of the legislature, the necessity for appropriations

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is presented in evidentiary fashion and then judicially determined. When the legislature meets, therefore, it finds the report of this budget and any legislator desiring accurate information has but to inquire of the Board of Control and that accurate information derived from the hearings held is immediately accorded. Under the old system the state's funds were distributed in proportion to the political influence of the applicant; under the budget system, they are distributed in accordance with the needs of the state departments and the merits of the governmental projects.

The pre-audit system put in operation by the Board of Control is substantially the requirement of a monthly budget. The Board asks the executive head of each state institution and department to furnish it prior to the twentieth of each month with a certified estimate of the needs of the department or institution for the succeeding month. These estimates are examined in detail, improper or unnecessary purchases eliminated. Where an institution or department needs a supply of that of which another institution or department has a surplus, a transfer is arranged for. And every question regarding expenditures is thus settled in advance and the proper foundation laid for the subsequent audit of claims.

A purchasing department was created. Forty-three state departments and twenty-three state institutions were accustomed to act separately in respect to common needs. All of them, for instance, required fuel oil, yet each entered into a separate contract even at widely varying rates for this essential. The waste involved is plain and the state purchasing department was created that purchases might be made by one central organization for all of the departments of the state government.

The provisions of the law governing award of contracts in many instances had been disregarded or by reason of favoritism in the awarding of bids had been rendered nugatory. The Board of Control undertook to convince the merchants and business men of California that the law relating to state contracts should be rigidly observed; that there should be fair competition in the business of the state, and no favoritism in its dealings. Communications were addressed to chambers of commerce, business men's organizations and the like, and were skeptically received. Gradually the new order became apparent, even to business men, and many of those who cynically regarded the management of the state's business and who from bitter experience had learned that it was useless to bid for that business, are now regular competitors for contracts with the commonwealth. Twenty times as many firms now bid for the business of the state as formerly and no matter who they

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are, they receive like treatment. The Board of Control estimates that in the restoration of honest competition alone, no less than $1,000,000 has been saved to the state.

But the enforcement of honesty in awarding of contracts would be futile unless the state obtained what it bargained for. A favorite method of fraud, under the old system, was to take a low bid upon a given article, and then accept an inferior article for the one bid upon. By the confession of a contractor the entire system was exposed to the board. The board, therefore, constituted the pure food and drug laboratory of the University of California the judge of the quality of all food supplies and drugs delivered to state institutions. The assistance rendered by the laboratory has been invaluable. The state now demands full value, and not only demands it, but gets it. No one volume could describe the radical changes that have been made in the conduct of the business of the state. Where before there were waste and extravagance, today there is economy and efficiency; where corruption stalked honesty now rules; where the state was exploited for the benefit and profit of a few, all of the people now reap the advantage.

The business of the state of California is now conducted upon approved modern lines and conducted as efficiently and as economically as any systematic and scientifically managed private enterprise.

## WORKMEN'S COMPENSATION—INDUSTRIAL ACCIDENT COMMISSION.

The new philosophy of government, which has obtained in California had its best and most sharply defined demonstration in the workmen's compensation law. In 1911, we stood at the threshold of a great unexplored governmental field. Behind us were the humiliation and shame of thirty years of exploited government, cynically administered for a few. With hope in democracy renewed by the first experience with the direct primary, with undefined, yet certain knowledge of democracy's obligations, we turned from the old sordid materialism, and looked to the greater promise of activity for humanity itself. We entered falteringly the unexplored field, and then our steps grew firm and our vision broad, and today no commonwealth has gone farther or built better for humanity.

Those who believed that industry should bear the burden of its accidents, that its maimed and its injured should not be cast forever upon the scrap heap of humanity, were tirelessly seeking a legal remedy. It was realized that the frightful burden of accident should not be wholly upon him least able to bear it, but the path to relief through the intricate mazes of the law was difficult to find. The

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legislature of 1911, adopted an elective law which, though not wholly effective, afforded opportunity for an educational propaganda and a thorough investigation.

The first Industrial Accident Commission, consisting of A. J. Pillsbury, Will J. French and Willis I. Morrison, prepared an elaborate workmen's compensation law which was presented to the legislature in 1913, was duly adopted, and became operative January 1, 1914, While this law was pending and before it had undergone the actual test of administration, it was the center of perhaps the bitterest contest that has been waged over any enactment of recent years. And out of all of the bitterness and abuse and denunciation of that contest may come to you who are now assuming legislative duties, the lesson that must ever be learned by him who would fearlessly represent those who have entrusted him with power. Every day, during the session of 1913, all those newspapers of the state of California which have ever been opposed to any sort of social justice, published page after page, not alone of so-called conservative argument against the "corroding socialism" of the state government, but of the foulest abuse of every individual advocating the law. To public scorn and ridicule and contumely we were held up as "destroyers of industry," "looters of business," "traitors to the state," "arrant demagogues pandering to the worst elements of our citizenship." So hysterically mad became this part of the press that first there was uneasiness and then absolute fear among honest business men, not only as to our intentions, but as to the ultimate result to themselves and their enterprises, from this merciful and humane law. Committees and delegations from different sections of the state waited upon the legislature and upon the Chief Executive, and the disastrous results which would flow from caring for our maimed and our injured were painted in the most lurid colors. The newspaper opponents were as violently abusive as they have ever been in the heat of a political campaign. The law nevertheless passed. Six months after it had been operating, we had the satisfaction of listening to the leaders of labor and the representatives of the largest employers in the state of California, unite in a public gathering in universal praise of the act. Today, employer and employee alike join in commendation. It is only the part of the press that was so malicious and malignant and mendacious during the pendency of the measure before the legislature, that refuses to accord its praise, but even this press is now forced to be silent. No man in public life would have the temerity to suggest the repeal of the workmen's compensation law, and this law has been the vindication and the justification of California's social program.

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The administration of the law in January, 1914, was entrusted to A. J. Pillsbury, Will J. French, and Colonel Harris Weinstock. In 1915, Mr. Weinstock resigned, and since then his place has been filled by Meyer Lissner.

It was necessary because of the action of the insurance companies and in order to protect employers, that the state should in connection with compensation to the injured in industry enter the insurance field. This was a socialistic feature at which our opponents stood aghast. In hysterical indignation they cried aloud against the enormity of the state invading a field of private enterprise, and of the inability of the people, through their representatives, to compete, and of the ultimate ruin therefore to the finances of the state. And here is the demonstration that, with the elimination of the invisible government, with an administration by those who owe allegiance only to the people, the state may compete and successfully compete with any semi-public corporate enterprise within the state. On December 31, 1916, the state compensation insurance fund had been in operation three years. It came into competition with about 25 insurance corporations whose agency organizations were well established. The state's insurance business the first year amounted to more than double the anticipated volume and it led its nearest competitor by over $140,000 in premiums. The second year the state increased its lead over its nearest competitor to $250,000, and its volume of business for last year amounted to over $900,000. It is estimated that this will be double the business of any other insurance corporation writing workmen's compensation in California. The business of the fund has been handled, at an expense for management, acquisition, inspection, claim adjustment, and all other items (except actual loss payments) for about one-third of the average ratio of expense of the corporate insurance companies. The average expense ratio of private companies is approximately 45 per cent, while that of the fund has been only 14.47 per cent. This saving in operation costs alone has enabled the fund to declare dividends to policyholders amounting to 15 per cent of the premiums earned in each of the three years. In addition, the fund has accumulated a substantial surplus for protection against catastrophe. Not only is this remarkable showing made by California in the insurance business, but in efficiency of administration, the California department surpasses any privately-owned company. A larger percentage of cases is summarily settled and paid by the state fund than by any of its competitors.

An idea of the work of the commission may be formed from the number of cases reported to it. In 1915, there were reported 67,538 cases of injury of which 533 were deaths, 1264 permanently injured and 65,741 temporarily injured. Ninety per cent of the claims for compensation were settled without controversy other than such as

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could be adjusted by correspondence or personal conference. About 10 per cent were filed for determination by the Commission. In 1914, there were 628 cases decided by the Commission; in 1915, 1123 and up to December 1, 1916, 1409. Not only did our act provide for compensation to the injured, but as well for the installation of safety devices for making the places of employment safe to work in. The Commission has adopted safety rules and has covered almost all of the industries of the state. Under the inspection work of the Commission, the industries of California, with reference to safety have been practically revolutionized.

In order to preclude the possibility of adverse decisions by the courts, certain provisions of the law will probably have to be re-enacted, and the amendments in this regard will be presented to you by the commission.

The commission has done its work well, efficiently and economically Its record and the universal esteem in which it is held are its highest praise.

## THE STATE HIGHWAY COMMISSION.

The act under which the eighteen millions were voted by the people for a system of state highways required the construction to be under the Department of Engineering. This department, already overburdened with state construction, of course could not, without appropriate assistance, undertake the task. It would have been far better could a separate entity have been created to constitute a State Highway Commission, but the legislature was forced in the 1911 session to adopt the cumbersome method of adding three members to the State Advisory Board, and these three members, so far as they could be, were constituted our Highway Commission. The Advisory Board consists of certain ex officio members, the Governor, the State Engineer, the President of the San Francisco Harbor Commission, and the Commissioner of Hospitals and Lunacy. The three additional members as appointed were Charles D. Blaney, N. D. Darlington and Burton A. Towne, and to them was entrusted the construction of our state highway system. On January 14, 1914, Burton A. Towne resigned and Charles Frank Stern was appointed in his stead.

The Highway Commission, by acquiescence of all of the members of the Advisory Board, was thus made practically an independent department of government, the Advisory Board formally approving its acts. The original act of 1909, adopted by the people, was the first essay of the state in highway construction upon a large scale. The framers of the act conceded that the $18,000,000 were wholly insufficient for the construction of 3,300 to 3,500 miles of trunk roads and laterals demanded,

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but it was deemed, at the time, that a larger sum could not be successfully carried. The California Highway Commission was, at the outset, confronted therefore with an impossible task. In every fashion it conserved the highway fund. It prevailed upon various counties to build the bridges and provide rights of way and the counties responded with generous cooperation. By its contracts for rock, gravel, sand and cement, the commission saved from 25 to 60 per cent. The railroad companies gave the state a special tariff schedule, saving from 30 to 50 per cent in transportation of road material. The concessions received by the Commission it accorded all building contractors and thus in the construction of the highways has effected a saving of from fifteen to twenty-five hundred dollars per mile. The Highway Commission was not more than well upon its way when the world-wide depression in securities occurred and its 4 per cent bonds could not be sold. These bonds were quoted during the period of depression at from 92½ to 95, but the industry and pertinacity of the members of the Commission, aided by various civic bodies throughout the state, aroused in the various counties an interest in highway construction and finally disposed of more than $13,000,000 of the highway bonds at par to the counties themselves.

California began its highway construction when the science of road building was little understood. Experience had not yet established the best type. Automobile traffic severely tried every theory, and it remained for the California Highway Commission to pioneer the way in the art of road building. At first the determination of the Commission of its standard type of road, with a solid concrete base, carpeted with a layer of trap rock screenings and bituminous oil, aroused clamorous opposition, but the Commission's decision has been vindicated by the test of actual experience, and there is now practically no division of sentiment as to the best type of construction. California now has more miles of solid concrete base roads than all the Eastern states.

In the immense organization required to be perfected to do the most efficient work, civil service was adopted by the Highway Commission, even before the state made it a distinct policy for every department. There is not a surveyor, a draftsman or an axman on the Commission's pay roll who holds his position save through his personal merit and qualifications. The organization is as efficient as the most highly trained organization of any private corporation.

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Briefly stated, the following is a summary of the Highway Commission's work at the end of the present year:

| | |
|---|---|
| Miles of road surveyed, 2,400. | |
| Miles of highway in system, oiled macadam | 185 |
| Miles of highway, concrete pavement | 918 |
| Miles of highway, asphalt pavement | 53 |
| Miles of highway, graded | 388 |
| Total | 1,544 |

Miles of road paved by the counties and taken over and improved and maintained by the state, 156.

Practically 143 grade crossings have been eliminated and about 450 bridges have been built or transferred to the state by the counties of an aggregate value of nearly three and a half millions.

The Highway Commission of California has efficiently and economically expended $18,000,000 without a single scandal and without the slightest suspicion of graft. It has constructed roads that are the admiration of visitors and meet with the enthusiastic approval of our own citizens. No higher encomium could have been bestowed upon this Commission than the overwhelming vote recently accorded to the new bond issue of $15,000,000 for the completion of their work.

The esteem in which the Highway Commission and its engineering staff are held was recently most flatteringly shown. The United States government entered upon its new national highway policy. It desired to inaugurate that policy under the most auspicious circumstances. It sought the aid of the most highly trained and successful highway engineers, and finally, after investigation, request was made to the Governor to furlough the chief engineer of the Highway Commission of California, that he might, at Washington, render such assistance as he could to the United States government in the inauguration of its new policy, and upon furlough of the Governor Chief Engineer Fletcher went to Washington and acted with the federal authorities in their new important undertaking.

The chief of road economics of the United States Office of Public Roads recently writing concerning California highways said:

> "I have just returned from a thousand-mile tour of California highways, more than 600 miles of which traversed the state system of trunk lines. With due regard for the great work already completed and under way in the eastern states, I predict that the California highway system, now in the making, will be, when completed, the most notable system of highways in America, if not in the world."

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The United States Department of Public Roads in connection with its work under the Federal Aid Road Act, appointed a committee last August to suggest standards for surveys, plans, contracts, specifications, etc., as a model for the several states to follow in the federal aid work. This committee has decided that the standards used by the California Highway Commission for California state highways be recommended, substantially in toto to the United States Office of Public Roads for adoption by the federal government.

This emphatic approval of California's work requires no comment.

**Road Construction by Convicts.**

A very radical departure from established precedent was made by the legislature when in 1915 it passed the Meek Convict Labor Bill. On the one hand, its enthusiastic advocates insisted upon the beneficial results alike to the state and to the men confined in the prisons, while those opposed most earnestly insisted that no good could come from the measure, and that it would do incalculable harm to free labor. Happily, experience has justified the law.

The sections of proposed highway selected for the convict road camps are of a character, and in locations, which otherwise could not be built with the means available. In Mendocino County the men have been working upon a 33-mile connection through a virgin wilderness difficult of access and of construction, but nevertheless a necessary link in the coast trunk lines. The first camp consisted of 25 with three unarmed guards in control, one acting as captain of the camp and the others as foremen on the work. Gradually the number of men was increased to 40 and then to 60 and there are now in Mendocino County two camps, of 100 men each. The work in Eel River Canyon was started in midwinter and during the first six months the men worked in 72 inches of rain and sleet six days a week, eight hours a day, and worked cheerfully and efficiently.

The camps were built upon specifications of the Immigration and Housing Commission and are as well equipped as any labor camps in the nation. The commissary has been second to none. That the work has been well done is now conceded; that it has been beneficial to the human beings employed upon it, can not admit of doubt. Men have been taken soft from prison and turned into able and efficient units in a real work in which they have come to have a pride. The physical and the mental regeneration of the men in the camps is obvious and apparently with this physical and mental regeneration must come some moral reaction. Aside from the guards, truck drivers and engineers, the entire camp population is convict—convict cooks, waiters, muleteers, blacksmiths, tool men, powder men, cobblers and carpenters. There have been during the past year in the Mendocino camps 329 men. Of these

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14 have been returned to prison and their credits forfeited for escaping or attempting to escape. Several attempts at escape were frustrated by the convicts themselves. There are now six escapes at large. The law has been a most beneficent and merciful one from a humanitarian standpoint.

The economic side seems to have been as conclusively demonstrated. The engineer's net estimate for the 33-mile section in Mendocino County varied from $346,000 to $365,000. In the work done by the convicts every item of expense has been charged to the job, including $11,000 for equipment. It has cost $1.3459 per man per day. In the twelve months the convicts have worked in Mendocino County approximately 195,000 cubic yards of excavation, averaging 51 per cent rock, have been moved. The two camps in that county average seven cubic yards and six and six tenths cubic yards per man per day, respectively. On this basis the work has cost the Highway Commission 43.34 cents per cubic yard, or a minimum saving on yardage of about $36,000. It is expected that in the summer of 1917 the link of the coast highway will have been completed by twenty months of convict labor at a cost of approximately $200,000, and that this link will then finally open the coast highway two years earlier than would have otherwise been possible.

Not alone has this work been done in Mendocino County but as well in the other mountain counties of the state and with equally good results. More than 400 men from the prisons have been at work upon the roads of California in the most inaccessible parts of our territory. The work has been done efficiently and economically. Free labor has not been injured or imperiled and those who are answering to the state for their infractions of the law, in the sunshine and open air, mentally and physically have been regenerated.

## STATE CORPORATION DEPARTMENT—BLUE SKY COMMISSIONER.

Only less vehement, but of like character to the opposition to the Railroad Commission and the Workmen's Compensation Law was the denunciation of what is commonly called the Blue Sky Law. Because of wildcat mining schemes, exploiting promotion conspiracies and the attempts which have been so common to exploit the public in fraudulent investments, there was presented to the legislature in 1913, the act establishing the State Corporation Department, under which the Blue Sky Commissioner is now operating. From exactly the same sources with which we have become familiar in six years of progressive government, from exactly the same newspapers that had cried we were hurting

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business, came the same malignant assaults upon the proposed law, and its advocates. Indeed, during the pendency of the act, in the city of Los Angeles, a publication was devoted exclusively to its denunciation and denunciation of every individual in the administration. Some of those who maintained the publication, it subsequently developed were engaged in just the sort of enterprise the Blue Sky Law was intended to prevent,—an enterprise which subsequently failed and involved in ruin many innocent persons, and an enterprise which never could have endured had there been a Blue Sky Law in California. Of course, it was a natural sequence that those engaged in that enterprise should be bitterly hostile to the law and bitterly hostile to the present administration. After the law was passed, by the legislature, a referendum was taken upon it by parties interested in preventing supervision by the state, but upon submission to the people the law was upheld, and H. L. Carnahan was appointed the first commissioner. The Commissioner had a complex, a difficult and an arduous task. He was the pioneer in an entirely new governmental policy—a policy designed to eliminate fraud, shackle trickery and promote legitimate business. Attacks upon the law had rendered legitimate business restless and fearful, and the Commissioner was confronted with the necessity of administering a drastic statute, separating the good and the evil enterprises, and winning the confidence of legitimate business, while absolutely eliminating doubtful or fraudulent speculation. Just as did all the humanitarian legislation of this decade, the Blue Sky Law, after a year's administration by Commissioner Carnahan, won the respect and confidence and the enthusiastic praise of every legitimate and honest business man Through the operation of the law, it is true, the state has lost corporate enterprises from which other states are now suffering. On the other hand California has gained investments which have organized as California corporations because of the protection afforded their business reputation and standing. Just as stocks and bonds of utilities approved by the Railroad Commission have been more salable and brought higher values because of the approval of that commission, so the stocks and bonds of California corporations that have been issued and sold under the supervision of the Corporation Commissioner have almost uniformly found a readier market than other securities not only in California, but elsewhere.

It is not the purpose of the law, nor has the state attempted to remove the ordinary hazard of business, nor to limit the right of the public to engage in speculative enterprises, so long as they are fairly conceived and honestly conducted. In authorizing the issuance of securities the state does not, and manifestly can not, determine whether the project will certainly succeed; but the state does insist that the prospective

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investor shall be fairly and accurately informed of the character of his investment, and that the money which he invests shall be actually put to work for him, and not diverted into the pockets of the promoter, and that an honest effort will be made to develop the project along practical business lines.

The scope of the activities of the department may be gathered from the fact that more than 20,000 corporations in California are subject to its supervision in the issuance of their stocks and bonds and other securities. In the past two years, more than 2,400 corporations have been permitted to issue or offer for sale approximately 100,000,000 shares of stock at an authorized selling price of approximately $300,000,000 and bonds of the face value of approximately $70,000,000. In the same period the department has eliminated from the markets of the state worthless or fraudulent securities of the aggregate par value of approximately $25,000,000. This has been accomplished in some cases by denying authority to applicants; in others through the abandonment of their applications because of their reluctance to furnish essential information or to conform to reasonable conditions, deemed necessary for the protection of the public.

In addition, securities representing par values of more than $40,000,000 issued for promotion services or in exchange for other unproven and intangible values, have been tied up in escrow and withheld from resale except under the supervision of the department.

Commissions on sale of stocks which not infrequently ran from 40 to 60 per cent or more of the gross selling price, have been limited to reasonable percentages approximating the actual selling cost.

The department through its control over the agents of corporations selling securities is weeding out the crooked salesmen who have knowingly shared with their employers misrepresentation in the sale of securities. Fraudulent and deceptive advertising, promising tremendous returns, made to trap the unwary, have been largely eliminated from the public prints. Every investor in corporate enterprise under the supervision of the department, now has a place to which he may appeal for disinterested and authentic information regarding the affairs of the company in which he is interested. The department is not alone a protection to the investor, but is a bureau of service to the corporation and to the public as well. Its knowledge gained from its daily contact with every conceivable mode of conducting business enables it to advise those who seek the most advantageous way to conduct legitimate enterprise.

The cost of operation of the department for the period of two years has been approximately $67,000. Of this, the corporations authorized to sell securities have contributed in the form of fees, approximately

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$40,000. The aggregate sum of these fees represents a little more than one-ten-thousandth part of the securities authorized to be issued.

The Blue Sky Law has been an unqualified success. The success, however, has been made possible because of its painstaking, careful, discriminating, able, judicial and brilliant administration by Commissioner H. L. Carnahan.

## INDUSTRIAL WELFARE COMMISSION.

The Industrial Welfare Commission, popularly known as the Minimum Wage Commission, was established by act of the legislature of 1913 for the purpose after thorough investigation of the women-employing industries of the state to fix, if needed, minimum time and piece rates to supply the cost of proper living, the maximum hours of work consistent with the health and welfare of women and the standard conditions of industry for their health and comfort.

In September, 1913, the first commission was appointed consisting of Judge Frank J. Murasky, A. Bonnheim, A. B. C. Dohrmann, Walter G. Mathewson and Katherine Philips Edson. The Commission at once appreciated the nature of its work in pioneering minimum wage legislation and proceeded with the utmost care and caution. The personnel of the commission, the cautious and painstaking method in which they approached a new complex subject, evidenced not only the importance of their problem, but was the guarantee of the justice of their conclusions.

It was felt that California presented an ideal laboratory for this industrial experiment. Its citizenship boasted as unexcelled, was committed to a program of social and industrial justice. An eight hour law for women, violently opposed at first but finally approved by all, was already in successful operation. By overwhelming majorities every advance in humanitarian legislation had been endorsed and approved. But the commission mindful of its pioneering work in endeavoring to provide a living wage for women workers by legislative action wished its results to stand not only the test of local experience, but to point the way for accomplishment in more complex industrial communities. Therefore, scientific and careful investigations were made that there should be no injustice to employers and that the act should not by curtailing expansion of business defeat its very purpose. The commission followed, therefore, the plan of close cooperation with the industries of the state and it may be said that the conclusions of the commission are acquiesced in generally by these industries.

The investigation of 1914 and 1915 in San Francisco, Los Angeles, Oakland, Sacramento and San Diego, while showing that conditions in

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California and wages paid were infinitely better than those in congested industrial centers, revealed an abnormal number of women in all trades, with wages below what would be considered a living wage. The mercantile and laundry industries, in detail, were investigated, and these included about 63 per cent of the working women of the state exclusive of the canning industry and domestic service. A large percentage of the women thus working were found to receive less than $9.00 per week, the sum acknowledged as the lowest wage that should be accorded a self-dependent woman.

The canners of the state cooperated with the commission, in keeping records during 1914 of the number of women employed, their hours of work and earnings. This was supplemented in 1915 by an investigation by the commission of working conditions, sanitary conveniences, etc. Because of the close contact between the industries and the commission, when the Wages Board called under the law in 1916 met, the fear of regulation had been removed from the minds of employers and confidence in the commission had been firmly established.

In January, 1916, the first Wages Board in the fruit and vegetable canning industry met, consisting of R. I. Bentley, A. G. Griffin, E. H. Kennedy, representing the employers, and Mrs. Isabel Schmitz, Miss Jennie Balestreri and Miss Erma Corey, representing the employees, and Katherine Philips Edson, representing the commission. After three days of conference and study, this Wages Board reported unanimously on piece and time rates for the preparation and canning of five products which approximate 85 per cent of the state's total output of fruit and vegetables. The state's output of canned fruit and vegetables was estimated to be worth $21,000,000 in 1914 and fully 20,000 women are employed in this work during the brief season. The Wages Board refused to consider the question of limitation of hours of labor in the industry and it was referred to the commission with no recommendations. The commission, with the State Board of Health, submitted to the Wages Board a tentative draft of rules governing sanitary conditions of the factories and toilet accommodations. These were also unanimously recommended by the Wages Board.

In February, 1916, after the Wages Board report, the commission issued its Orders Nos. 1 and 2 in the fruit and vegetable canning industry, fixing the rates of wages to be paid women therein and providing for sanitary conditions, and the wages thus fixed constitute the minimum wages in these industries. To the credit of the employers engaged in the industry, the minimum wage fixed has been accepted. Not alone has thus been provided to the women an increase in wage rates, but the commission eliminated in large degree what has been a

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great evil in many canneries—that is, the wasteful use of women's time by which they were kept waiting for hours for fruit or cans that had been delayed because of careless management.

The manager of one of the largest canneries in the state has publicly stated that although hostile to such regulatory legislation under the orders of the commission, he has put up the largest pack of fruit with the least overhead expense in his experience, and that the regulation by the commission has been of benefit to the owners as well as to the women employed.

An exhaustive survey of the garment industry disclosed the fact that the depression of wages in California in that industry is largely due to the presence in this state of great quantities of garments made by prison labor in our middle western and eastern prisons and reformatories. The only hope therefore for providing a decent living wage for women in the garment trades is by federal action.

The commission believes that the most important development of their work has been the demonstration that bodies such as theirs can work in cooperation with the industries affected, and that just results can be attained by this common effort. In the spirit of mutual understanding the commission has developed, labor and capital, with appropriate activity by the state, may solve many future industrial problems. California has tried now through this commission the experiment of artificially building a bulwark against low wages and their attendant horrors, and the results have not only been merciful, humane and beneficial, but have pointed the way in a new humanitarian endeavor.

## THE IMMIGRATION AND HOUSING COMMMISSION.

The Immigration and Housing Commission illustrates the underlying principle of the governmental movement inaugurated in California—preparedness for the future or adaptation of governmental institutions to meet the new and changing needs of humanity. In 1912, to meet the problems which it was expected would arise as the result of the influx of European immigrants to the Pacific Coast through the Panama Canal, a temporary commission, without appropriation, to investigate and report was appointed. This was the first step in the endeavor to establish a constructive immigration policy in any state. The commission appointed conducted a thorough investigation and recommended the creation of a permanent state department of immigration to develop and put into operation a state program for the proper and real Americanization of immigrants.

The legislature of 1913 created the Commission of Immigration and Housing. It was given certain powers to inspect and improve housing



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conditions because it was recognized that the two problems of immigration and housing were intimately connected. This commission consists of five nonsalaried commissioners, Simon J. Lubin, Archbishop Hanna, Mrs. Frank A. Gibson, Dr. J. H. McBride, and Paul Scharrenberg. The commission in preparing its act which was passed by the legislature, was careful to prescribe that it should not do what the so-called immigration departments of other states did exclusively—merely advertise and boost the real estate business of the state indiscriminately. It provided for a human institution that would look after the human element of our immigration.

The commission was appointed in September, 1913, and began its work in December of that year. In the three years that have ensued it has been the pioneer in blazing the trail for a constructive immigration policy. It undertook first the cleaning up of the thousands of labor camps in the state. It found that substantially half of the workers in these camps were immigrants. A sanitary engineer was employed, and a complete handbook for the erection and maintenance of model labor camps was prepared and published, and inspectors were sent out to educate employers to the real and even the mercenary advantages of providing sanitary camps for their workers. The handbook or pamphlet has been officially adopted by the United States and Canadian Forestry Service and by many state sanitary departments. It provided such simple methods that it appealed to employers and the commission has been able to bring about an almost miraculous improvement in the living conditions of the thousands of migratory workers in California. Up to this time 1850 different labor camps have been inspected and 1170 of these re-inspected, showing marked improvement in nearly 73 per cent of the camps. The population of these camps was 115,774.

In addition to the sanitary improvements, statistics have been gathered showing the number of women and children residing in the camps, and the school authorities have been enabled thereby to compel the attendance of the children or establish schools for their benefit. The extent of illiteracy has also been reported, the number of immigrants who have not learned English or become citizens has been determined, and steps taken to establish correspondence schools to bring about their Americanization, and the padrone system of labor control by which the ignorant foreigner has been exploited, has been very greatly decreased.

The commission commenced, as well, a campaign to improve housing conditions in cities and intensive surveys were made of all of the larger cities of our state. An educational propaganda followed, resulting in vast improvement in housing conditions in these localities.

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Upon the invitation of the commission fourteen of the largest cities of the state were asked to send trained building experts and health or housing officials to a series of meetings with representatives of real estate boards, hotelmen's associations, architectural societies, etc., to study carefully the housing problems, and work out scientifically uniform laws. The various cities and organizations responded to this appeal and five meetings have been held devoted to the careful scientific study of the problem, and the result of the labors of these conferences will be submitted to the legislature. In addition, the commission has encouraged and vitalized the movement for city planning.

It was the commission's design to get in personal touch with the immigrant and for that reason it established a complaint and information department to which immigrants could come for advice and information or with their complaints of exploitation or imposition. Posters printed in twelve different languages were scattered throughout the state advising immigrants of this opportunity. The department has been in charge of trained investigators who have heard thousands of complaints of migratory and resident immigrant laborers. The commission has investigated fraudulent schemes affecting immigrants and in some sixty cases has instituted criminal proceedings. These prosecutions have discouraged the previous exploiters of immigrants and have stimulated local officials. Some 9,000 immigrants have applied to the commission for remedy of real or apparent wrongs and the commission has collected for them some $18,000 in claims. The commission, in considering the cases that have come to the complaint department, became convinced that the primary cause of the difficulties of the immigrant lay in his inability to speak the language and his general ignorance of our laws and customs. For two years a campaign has been waged to stimulate and develop the education of adult immigrants in citizenship. The commission has brought about the establishment of evening classes for immigrants in some sixteen communities.

The state is indebted for a most complete report on the subject of unemployment furnished by the Immigration Commission in December, 1914, and also for the relief work for the destitute unemployed in this state undertaken by the commission during that time.

The most recent work of the commission is the establishment of a land information bureau. Some 600 cases of immigrant colonists and settlers who had been defrauded in the purchase of agricultural lands came to the attention of the commission and it was learned that the intending settlers were unable in most instances to obtain reliable information concerning land and its agricultural values. The commissioners now, by reason of cooperation with the extension department of the State University Agricultural College and the federal agricultural

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department, are able to give general information concerning different districts of the state to the immigrant applying.

Because of the European war the influx of immigration has not been as great as was contemplated, but the statistics demonstrate that even now California is third or fourth among the states in its number of immigrants. Whatever may be in store for us in the future, we may feel that through the Immigration and Housing Commission, California is the first and only state prepared with a program and the machinery to carry out that program, for the assimilation and Americanization of those who come to us from foreign shores.

## SOCIAL INSURANCE COMMISSION.

The Workmen's Compensation law, providing insurance against injuries to workmen, was a long and an important step in the solution of the problem of destitution among wage earners; but there yet remains a large field uncovered by compensation of industrial injuries. The larger field yet uncovered has been recognized in European countries, where measurably the remedy has been provided, and the states of our own nation have come to understand the extraordinary importance of the problem. In the advance California has made, it was but the logical sequence that the question of social insurance should arise, and that there might be adequate data upon which to predicate action, the legislature in 1913 provided for the appointment of a commission for investigation and recommendations. This commission was handicapped by an insufficient appropriation and in 1915 the law was reenacted and the present Social Insurance Commission of California, consisting of Paul Herriott, Frances N. Noel, George H. Dunlop, Miss Katherine C. Felton and Dr. Flora W. Smith, duly appointed.

The commission early reached the conclusion that the incorporation of a complete system of social insurance would be wholly impracticable, and they decided therefore to concentrate upon health insurance alone. This was but an attack from another angle upon the great human problem. Industrial accident insurance tided over the period of injury of him who was hurt at his toil. Health insurance sought to tide over the period of adversity of him who by illness was made jobless and deprived of his income. The commission has made a complete study of all forms of social insurance and in the report submitted to the legislature it presents a digest of all the European systems with their effect upon the people of their countries. A greater part of the activities of the commission, however, has been devoted to an intensive survey of actual conditions under which wage earners live in California. Through its agents and public hearings, the commission has gathered

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complete evidence of the loss occasioned by sickness among wage earners and their dependents, and the practicability of social insurance as a remedy; and those investigations in detail are set forth in the commission's very elaborate report.

The commission after its painstaking investigation recommends that California should extend its activities in the field of social insurance to a system of health insurance. It insists that if health insurance were established its benefit would be conferred upon approximately three-fourths of a million wage earners and their families, and while admitting that the immediate cost would be great, it asserts that ultimately the entire cost would be absorbed in the economic readjustment and leave a large margin of economic gain.

Dr. I. M. Rubinow, of New York City, perhaps the ablest leader of the social insurance movement, has been in the employment of the commission as its expert. He has drafted for the commission complete estimates of the cost of a system of health insurance in California, and those estimates are submitted to the legislature.

I believe in health insurance, and that ultimately it will be established in our nation, and this within a brief period. If the state is to engage in this activity, however, the initial cost is so great that it ought not to be undertaken by direct appropriation by the legislature. The field is so vast and the cost so excessive that before embarking upon this new policy we should have the sanction of all of our people. This, I understand, is the program outlined by the commission, and in pursuance of it the commission will doubtless present to the legislature a constitutional amendment for submission to the entire electorate of the state at the general election in 1918.

## STATE BANKING DEPARTMENT.

The history of the State Banking Department from February 21, 1911, is the story of an effort to correct insidious evils that afflicted the affairs of state banks; to establish principles of governmental discipline in the activities of these institutions; to revise the bank act into a statute that would have capacity to restore to bankers a needed liberty of action not in discord with established laws of safety, and primarily to determine the character of every banking unit in the state system as far as that character can be expressed in terms of solvency. With this endeavor has come accomplishment. Banks under state jurisdiction have been relieved from the whims of special privilege; they have adjusted their resources to a plane of absolute safety; they are prosperous under the administration of a law which is construed equally and soundly.

In the endeavor to make banks and bankers understand that the first

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duty of the state is to guard depositors, there has not been, of course, complete success. Gradually the lesson has been inculcated until today many who formerly resented interference by the state recognize not alone the right in the interest of the depositors, but the beneficent results as well to the banks. A minority, however, yet resent any interference by the state or any suggestion of regulation or improvement of methods, but happily this minority is constantly dwindling.

In the last few years, the bank act, in many important parts, has been amended and these amendments suggested in cooperation by bankers and the bank commissioner, have proved in general of vast advantage. The bankers themselves first suggested critical examination and drastic regulation by the state, but there were some among these bankers who meant by this, only drastic regulation and critical examination of their rivals in business, and when specifically the provisions of the law were applied to them their indignation and resentment knew no bounds. The present bank superintendent has done just what has been done in every other department of government in the state—he has eliminated special privilege and he has administered the law under his jurisdiction firmly and justly, equally and without discrimination. No bank has been too small to escape the provisions of the law and none has been so powerful or so rich as to evade its responsibilities. With all alike, the law has been enforced.

The result of an equal and drastic enforcement of the law, while not satisfactory to those who deem themselves entitled to special privilege, has been to create an unprecedented degree of confidence in our financial institutions, and to place the banks of the state upon a sounder and better basis and to render them more prosperous. At the commencement of the term of office of Bank Commissioner Williams, the aggregate assets of state banks was $586,101,030, and the aggregate now is $835,718,403. Individual deposits at the commencement of his term of office amounted to $465,808,000 and now to $694,267,000. There are now in the savings banks of California more than half a billion of deposits, an increase during the past six years of $194,000,000. Six years ago the aggregate of loans and discounts in the banks under state jurisdiction was $365,000,000; at the present time there are $498,000,000.

During the progress of the immense labor of reform among the banking institutions of the state not a bank in the state's system has failed. In the first few months of the new administration three institutions were closed because of inherited infirmities, two other banks were compelled to liquidate but their depositors were paid in full. The solvency and standing at present of state banks, the fact that no state bank has closed its doors since December, 1913, are the demonstration of the efficiency of a just and impartial drastic administration of the law and the lasting tribute to the bank superintendent.

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## STATE PRISONS.

The prisons in the last few years have reflected the rejuvenated government of the state and our penitentiaries have been administered like our other departments of government, as instrumentalities not alone to protect society but to serve even the lowest and most helpless of humanity. The prison policy that prevails today is one of strict discipline and training but without harshness or cruelty. The prison directors and the wardens believe that they can contribute most to the lessening of crime by managing our prisons in such a manner that they may cure crime instead of being listed as one of its causes. The endeavor is made to supplant sickness with health, ignorance with knowledge, indolence with industry, and despair with hope.

In 1911, the "hooks" and "doors," the strait jacket, the water torture and corporal punishment were all in vogue. Today there is no form of corporal punishment in our prisons. Notwithstanding the dire predictions that were made when corporal punishment was abolished, its abolition has changed the atmosphere of our penal institutions and discipline today is better in both state prisons than it was when every kind of physical torture was permitted.

Both prisons now study the individual. The newcomer is immediately given a physical examination. Physical defects are noted and corrected where possible. A tuberculosis ward is set apart particularly for those infected. Wassermann blood tests are taken. The physician, oculist, and the dentist in turn examine and prescribe. Thereafter the educational director attempts to obtain the mental measure and moral status of the prisoner. If illiterate, he is assigned to school. Men of mature years are placed in night schools. Classes are graded, supervised by an educational director and state textbooks are employed. Correspondence courses and special classes have been formed. Once a week a professor from the University of California by lecture supplements the classroom work. One thousand four hundred forty-two men in San Quentin now are engaged in educational classes and a like proportion in Folsom. Under the state use system articles are manufactured for other state institutions and work at trades thus afforded for idle hands.

The parole law has been liberally administered by the prison directors, and though much has been heard about an undue liberality in this regard the statistics demonstrate the parole has been a source of infinite good. During the last five years 77 per cent of the prisoners paroled have made good—that is, they obey all the rules laid down for them when parole is granted, refrain from crime, serve their terms creditably until they secure final discharge; 23 per cent failed, but of this 23 per cent that have failed only 5 per cent were returned for committing new

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crimes while on parole. The other 18 per cent are merely weak and have failed because they quit their jobs or have not reported or in some other way violated the conditions of their ticket of leave.

In proportion to our total prison population, we have a smaller percentage of recidivists than we had ten years or twenty years ago, when our prisoners had few privileges and were subjected to all kinds of painful and humiliating punishment.

I quote for your earnest consideration from a recent report to me by Warden Jas. A. Johnston:

"The ominous thing that I find about the figures regarding prison population showing decrease in the number of repeaters, is that, since the prison populations all over the country are on the increase, the same set of figures that show decrease in repeaters necessarily show an increase in the number of first termers; and the causes for that alarming condition are not in the prisons, but on the outside.

"If it be true that the reduction in the number of recidivists can be traced to sane and humane system of management of prisons, to disciplinary measures, to health-building, mental and moral training and trade teaching, then it would seem that the same or similar measures applied *before* crime was committed would reduce the amount of crime and the number of first termers. While it might be highly creditable to the prison directors and wardens to be able to show that the number of repeaters was decreasing in proportion to the entire prison population—and indeed that is all that can be reasonably expected of prison management—it is not to the credit of society that the number of first termers is increasing.

"I have an idea that there is plenty of room for prison reform outside the prisons, and that more attention should be given to preventive measures, such as medical and dental inspection in the schools, education that really fits for citizenship, vocational training, serious attention to the question of unemployment, strict regulation and control of the sale of firearms; war on the habit-forming drugs and excessive use of alcohol; and recognition of the fact that youth is the time of lawlessness; that criminal tendencies usually assert themselves early in life and should be checked early by proper training at home, in school and in the church. All this is an important part in any plan of social insurance.

"In thinking of preventive measures, I see all around here at the prison evidence of the youthfulness of prisoners. Looking up the figures, I find that with a population of 2,390, over half, or more than 1,200, are under 30 years of age; 600 are under 25 years, and 300 are under 21. From these figures it is evident that in its very essence the crime problem is a *boy* problem, and I can not help but think that if we can arouse the fathers and mothers and the teachers and preachers to

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the necessity of giving earnest attention to the boy problem, we shall have gone far toward a solution of the crime problem."

Under the direction and control of the Prison Directors, Charles L. Neumiller, Judge C. E. McLaughlin, Henry Eickhoff, B. B. Meek and Charles Sonntag, and the management of Wardens J. J. Smith and James A. Johnston, the penitentiaries of California in a modern, enlightened spirit, are more ably conducted, both from the standpoint of the exactions of the law and the care of those confined than any penal institutions in the nation.

### Reform Schools.

In the two reform schools of the state, at Ione and Whittier, where there are approximately 600 boys, the new conscience of the public service and the new philosophy of government have replaced the old mode of beating, of physical torture, of welding rings of iron about the ankles of recalcitrant boys, and of regarding them as hopeless and incurable, with the new viewpoint, that these boys are a child problem and that the child is the paramount concern.

The superintendents of Whittier and Ione, Fred C. Nelles, and Calvin A. Derrick, have not only wrought wonders in the discipline and the care and reform of the boys entrusted to their care, but have become as well nation-wide authorities in the problem presented by erring youth.

Just as in the prisons of the state, there is a new atmosphere in the reformatories, a new attitude, and, at last, hope in those confined.

## LABOR BUREAU.

The Labor Bureau of the State of California was established in 1883, but it is only within the last five years that it has been transmuted from an unknown and useless institution into a useful and important department of the state. The bureau has come to be looked upon as the poor man's court, where the unfortunate toiler without means may secure speedy redress; and it has served, too, as an effective medium in the adjustment of irritating disputes that arise in the industrial field. During the past year free public employment bureaus in San Francisco, Los Angeles, Oakland and Sacramento have been established. In nine months these bureaus have obtained positions for 38,000 persons without cost to them. The state, although it has but four offices, is now doing about one-fourth of the business done by all the private agencies in the commonwealth. The vicious practices formerly perpetrated by private agencies have been eliminated. The bureau in acting as a poor man's court has, in the past five years, undertaken the collection of 32,000 claims and has succeeded in collecting more than

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$504,000. During the past year 10,000 claims were handled and $179,000 in wages collected.

The payment of wages to those employed in seasonal labor has been supervised by the bureau, and the examiners of the bureau have secured to employees sent each season to work in the salmon canneries of Alaska over $250,000 annually for the past four years. In former years these unfortunate seasonal toilers were fleeced out of the major part of their earnings.

The labor laws of the state, particularly those relating to women and children, have been enforced by the bureau. During the past five years the bureau has investigated 41,000 complaints for violation of the labor laws.

The Labor Bureau, from a mere resting place for a politician, has been developed under Labor Commissioner McLaughlin into a department of the greatest importance. It is the court of the penniless, the haven of the poor, the refuge of the helpless.

## WATER COMMISSION.

At the 1913 session, the present Water Commission law was enacted, but private individuals who had appropriated much of the water of the state subjected the act to a referendum and at the general election in 1914, the people approved it. A commission thereupon was appointed, consisting of W. A. Johnstone, A. E. Chandler and Irving Martin.

The design of those who first proposed the Water Commission act was to render definite and certain just appropriations of waters, to determine the rights of contending appropriators, and to conserve the waters of the state, and generally, to act as a tribunal for the solution of water problems. Prior to the adoption of the present law, water rights by appropriation were acquired upon posting of a notice of appropriation stating the source of supply, the amount of water claimed, the means of diversion and the purpose and place of use. After posting, a notice was required to be recorded in the office of the county recorder, work to be commenced within sixty days from that date and prosecuted with due diligence to completion. If the various requirements were carried out, the right dated from the posting of the notice. There was no supervising authority, or governing official, who was to determine whether or not the provisions of the law were met. Such a system when applied to so valuable a resource as the water supply of the state of California, readily lent itself to fraud and injustice. Because of the looseness of the system, water rights in California are badly tangled. The unraveling of the tangle will be a slow and tedious process, but one upon which the state through the Water Commission has finally commenced.

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In the first seventeen months of its operation, the commission has received five hundred and thirty-one applications on which one hundred seventy-two permits have been issued.

In various important investigations of the waters of the state, the commission is now engaged. Some of those investigations are undertaken in connection with the authorities of the United States government. The commission has collected filings on all streams of the state and has now at its central office the appropriate data. The commission believes that the act fails in furnishing the necessary machinery to accomplish its full purpose, and has presented to the legislature certain amendments. It seeks to render effective the design of the law that it adjudicate the rights of all parties on a stream system and to carry out the full intent of the framers of the act, the commission believes that it should have power of supervision of the distribution of the waters of the state to those who are lawfully entitled to their use. The present act provides for supervision, but fails to give the necessary machinery.

With the amendments proposed, and with the work thus far accomplished, the Water Commission of California will be able to determine and give stability to the just claims of appropriators, and will as well conserve and foster and protect the waters of our state—a resource of most potential possibilities.

## STATE BOARD OF EDUCATION.

The rapidly growing educational needs of the state, the marvelous increase in the number of our school children, made it impossible for the old ex officio State Board of Education efficiently to deal with the public school system. A constitutional amendment was passed in 1912 authorizing the legislature to provide for a State Board and in 1913, an act was duly passed directing the Governor to appoint a board to consist of seven members. The first board, under the new law, consisted of W. H. Langdon, Mrs. O. Shepard Barnum, George W. Stone, E. P. Clarke, Mrs. Agnes Ray, L. E. Chenoweth and Charles Frank Stern.

In 1914 Mr. Chenoweth resigned and was succeeded by Mr. Chas. A. Whitmore, and Mr. Stern by Mr. Marshall De Motte. In 1915 Mr. Langdon resigned and Mr. M. B. Harris was appointed in his place.

This board was designed to represent the people generally rather than the profession of teaching, and therefore its members were prohibited during their term of office from holding any salaried educational position. The board was directed to appoint three salaried commissioners, one experienced in the field of elementary education, one in the field of secondary education, and the other in vocational education. These commissioners were immediately selected and the greater efficiency thus obtained by the new State Board of Education and its representatives

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is generally recognized. Educational policies have been definitely shaped and the admitted progress of the last three years is due to the new system.

No state has been more generous than California to its educational institutions. More than 5000 schools of various kinds and grades are maintained, and in 1915–16 the state expended for public education approximately $12 per capita of population.

Since 1910, the enrollment in the elementary schools has increased 32 per cent, in the kindergarten 200 per cent, in the high schools 147 per cent, normals 111 per cent. The growth of the kindergarten is due to the act of 1911, requiring the establishment of a kindergarten class upon petition of the parents of twenty-five or more children of kindergarten age.

The elementary school, of course, is regarded as the common school, enrolling practically all children between the ages of six and fifteen years. In recent years, the age of compulsory education has been raised from fourteen to fifteen years. The child labor law has been amended to prohibit the employment of children under fifteen years and higher standards of qualification for teaching have been required.

It was the design of progressivism in California that elementary education should be free in the fullest sense, and in 1912, a constitutional amendment was submitted to our people providing for furnishing textbooks free to the pupils. The amendment was adopted, and since then, in the elementary schools, textbooks have been distributed to the pupils. During the biennial period this distribution amounted to 948,829, and the total expense to the state was $172,422.10.

The endeavor has been made to make the high schools not only preparatory schools for the university, but for the community as well. Vocational courses and branches have been introduced and fostered.

The schoolhouse, in 1913, by act of the legislature, was made the center of neighborhood democracy. Under this law, the people were given the privilege of using their property not only for educational purposes, but for public discussion, instruction, and entertainment. This, with other incentives, has resulted in the organization of hundreds of Civic Centers and Parent-Teachers Clubs, with a membership of many thousands.

The courses of study in normal schools have been standardized and those institutions have been brought into closer relation to one another and to the elementary and high schools.

Upon the suggestion of Mrs. Mary A. Gibson, of the Immigration and Housing Commission, a law was duly passed authorizing the employment of home teachers to visit the homes of foreigners, to instruct mothers in English, sanitation, and household duties.

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Among the important policies suggested and adopted by the legislature was that of the Teachers' Retirement Salary, thus providing for the payment of a salary of $500 per annum to each teacher after thirty years of service in the public schools. This fund has been successfully administered by the state board.

California, with a generosity nowhere surpassed, has recognized that the public school system is of the very essence of our democracy.

## STATE MARKET DIRECTOR.

At the last session of the legislature an act was passed creating a State Commission Market, with an appropriation of $25,000 and authorizing the appointment of a State Market Director. The measure duly became a law. It provided not alone for the appointment of Market Director but for the establishment in any and all cities and towns of the state, of depots and stations to be used as state markets for the receiving, care, sale and distribution of the farm products of California. It seemed obvious to me that in the hands of an inexperienced man or under the management of a well-meaning enthusiast alone, we might readily involve the state in very serious disaster. Because he united every qualification in marked degree, I finally tendered the appointment to Harris Weinstock, and he accepted.

The view of Mr. Weinstock was that it was imperative that the state should come to the relief of the farmer, by organizing producers into marketing associations, and assisting them in marketing their products, but that the state should not engage in the actual business of selling by commission or otherwise; that the State Market Director could be of very great service to the farm producers of California by performing the function of a market advisor; that individually, the average farmer is helpless to better his marketing conditions, but that collectively he could accomplish great results in minimizing waste in the cost of distribution and in broadening and widening his markets so that collective bargaining could take the place of individual bargaining, thus making it more nearly possible for the farm producers to get the value of their products, and also more possible to minimize waste and expense of distribution for the benefit of the consumer.

The Market Director pointed out as well that even if it were desirable and practicable to establish state markets in every city and town in California, the appropriation of $25,000 was hopelessly inadequate and such an effort, under the conditions, would result only in failure.

The task undertaken by the State Market Director is a herculean one, but with remarkable energy he has been engaged in organizing the farmers of the state into strong and effective marketing associations. In the very brief period since his appointment, he has assisted in the

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organization of the California peach growers, and the necessity for such organization will be apparent, when it is recalled that the dried peach industry of the state was in such a deplorable condition, but a year ago, that not more than one-half the year's crop was harvested, and the price offered the grower was below the cost of production. Now, the industry is on a sound, profitable basis, having been incorporated on January 11, 1916, with a capital stock of $1,000,000.

The poultry producers of central California, 900 in number, in October, 1916, formed their organization and hereafter will have, what they never have had before, in California, a voice in fixing the prices at which their products shall be sold. The poultry producers of southern California, 400 in number, have commenced their organization in the southern part of the state.

The Associated Milk Producers, about 130, supplying San Francisco with milk, have organized, established and completed a pasteurization plant in San Francisco, and in like fashion the rice growers, prune and apricot growers, olive growers and potato growers have come together.

A voluntary cooperation of wholesale and retail dealers in fish and fishermen was secured and temporarily an educational campaign inaugurated, which, for a time, greatly increased the consumption of fish, lowered the price to consumers and entirely stopped the dumping of fish. The plan was suspended because of the withdrawal of one large wholesaler, but it is the hope of the Market Director that the legislature, by appropriate legislation, will make the plan of regulating the fish industry compulsory.

A system has been worked out, and it is expected will soon be established, whereby live stock yards for cattle and hogs and better markets will be provided.

The necessary preliminaries have been taken to organize the honey producers into one or two market associations, and the arrangements have been made for standardization.

The Market Director, in addition, has negotiated with certain New York banking interests to advance to California producers' organizations, when appropriately capitalized and managed, up to 75 per cent of their market value on their warehouse receipts certified to by the State Market Director, with interest rate of only 3½ per cent per annum.

The work of the first year has been devoted largely to building the foundation for further effectiveness, and the results attained far exceed the original expectations. Apparently, California is now on the way to become the best organized state in the union so far as farmers' marketing associations are concerned. The object of these associations is, of course, twofold, to give to the farmer a fair price for his produce, and to minimize speculation in farm products; to lessen waste in the cost of distribution and to aid both producer and consumer.

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## THE CIVIL SERVICE.

The first Civil Service Law of the state of California was passed in 1913 and in the latter part of that year, the commissioners, Charles Wesley Reed, Edgar Williams, and J. M. Hunter, began their duties. The law since, has been drastically enforced. Examinations are continuously held to ascertain the fitness of those applying for positions and the merit of the applicant as shown by the examination now determines appointments to employment by the state. The design of the law and the endeavor of the commission have been to make merit the basis of appointment and to prevent expensive periodical upheavals, and to end the political spoils system in the public service. The last desideratum has been attained. It is an impossibility now in California to use the public service for political purposes or to direct the political activities of those who hold official position. The commission has jealously guarded, not only its rights under the law, but the rights of the humblest employee of the state. Whether efficiency is obtained by a drastic civil service law is yet debated. The Civil Service Commission insists that a greater measure of efficiency has come under the administration of the law. Many of the heads of the departments dispute this, but of one thing we may be certain, the spoils system has been eliminated, and a political machine among the employees of the state, under such an administration of a civil service law as we have had in California, is an impossibility.

One of the favorite methods of denunciation on the part of those who oppose the state administration is groundlessly to assert that a powerful political machine has been built up in California; and because of a constant repetition of this sort of falsehood many, unacquainted with the facts, have been deceived. Substantially every state institution today, when it desires a new appointee or employee, applies to the Civil Service Commission. The commission sends its list of names and the lists are certified only after rigid examinations. From the certified lists appointees must be selected. The employees in the various state institutions understand not only because of the civil service law, but because it has been a fixed and definite policy of the state, that they are free politically to act as they choose, and that they have acted as they chose is demonstrated by their votes in the various primaries and elections that have been held.

Merely as a matter of amusing incident, and for the benefit of some of our friends who talk of a political machine, inquiry was made in various precincts in 1914, and again in the primary election of 1916. In these precincts voted only employees of certain state institutions, which had been placed under civil service and in which the wages of

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the employees had been increased. The results were complimentary at least to the independence of the state employees if not to the head of the state administration.

Whether those who assert that efficiency does not follow civil service, or whether the commission, with its records and its responses from various departments, is right in its insistence that greater efficiency has been obtained under civil service, I am not entirely clear; but the tremendous advantage to the state in removing the old political spoils system and in preventing political upheavals in the public service by political parties, outweighs any possible disadvantage of civil service; and we may feel that from this standpoint alone the law has been justified and has been of immeasurable value.

## THE STATE UNIVERSITY.

A walk through the grounds of the University of California, a mere inspection of its enrollment, a glance at the students, and it requires no effort of imagination to see upon this western shore, a center of education rivaling any on earth. Our university, the culmination of our public school system, has advanced with such leaps and bounds, that our own people little understand its progress, and its possibilities. It is gradually acquiring new structures of unexcelled architectural beauty. It has within its staff men whose reputations are nation wide. In number of students, it is practically the largest university in the United States. Those of us who long ago were a part of its less pretentious days, have eagerly watched its marvelous progress and have ever the fondest interest in its development and prosperity.

The state has been very generous to its great institution of learning, but no more generous than that institution deserved. We who knew it only from its academic side, and have with pride seen its academic side reach its present high state and fame, looked forward to a day when it should perform its other great functions for the people as well; and soon after 1911, the endeavor was made to enlarge its agricultural college and to bring the manifold advantages of its learning to all our people, and in this endeavor we have been measurably successful.

### The Agricultural College.

During the past six years there were 325 graduates in agriculture from the university. In the forty years prior to this time, it graduated 150 persons from its college of agriculture. During the same period certificates of graduation have been given to 147 farm school students, while prior to 1911, no certificates were issued. During these six years, 974 persons have completed short courses in agriculture. Prior to that

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time 171 persons had taken these courses. During the past three years, 7,368 persons have completed 9,488 correspondence courses in agriculture. Altogether within this period 25,664 have been enrolled, and boys' high school agriculture clubs have been organized in more than one-third of the high schools of the state. In 1914, 341 high school boys grew crops or raised animals under the direction of the College of Agriculture. In 1915, their number had increased to 622, while during the past year, 1,157 boys finished in these prize-winning contests. A beginning has been made in organizing boys' clubs in the public schools, and farm bureaus have been organized in fourteen counties with 175 farm bureau centers, having a membership of about 6,000, while the aggregate attendance during the past year was 64,144.

Members of the staff of the Agricultural College are writing 100,000 letters a year, chiefly in answer to inquiries from those engaged or interested in agriculture. Bulletins to the amount of 3,000,000 copies covering every range of agricultural topic have been distributed. In the language of Dean Hunt, who presides over the college, "These figures are not enumerated for any intrinsic value which they have, but to show a state of mind on the part of the citizens of California, which is more important than mere wealth. It is not the quantity of work done that is most significant, but it is rather the new vision which the students of the college have obtained, and the increased pride of the citizens of the state in their calling. Already a much sounder attitude obtains concerning the development of the state's resources, particularly in regard to the settlement of its lands."

The College of Agriculture has a staff of more than 150 trained men and women who are getting into intimate, daily touch with the people of a great industry.

California has an area equal to the nine Northern Atlantic States, the New England States plus New York, Pennsylvania and New Jersey, and California has every problem that exists in these states and has in addition to that, a variety of problems which arise from the artificial use of water in an arid climate. Over 100 different plants are produced commercially in California. In the solution of the problems presented, the Agricultural College has done amazing work.

The realization of our dream that our great university shall be the melting pot of the every day problems of our people in agriculture is nearing realization.

## WEIGHTS AND MEASURES.

From the very first session of the California legislature, there have been various enactments in regard to weights and measures. No comprehensive bill ever became a law until 1913. Under that act Charles G.

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Johnson was appointed the State Sealer, and since then, not only has the law of the 1913 session been enforced, but the two subsequently passed at the 1915 session—the net container act and the public weighmaster act—have been included in the duties of the particular department and there is now supervision practically, so far as weight and measure are concerned, of the transfer of nearly all commodities. Not only have these laws concerning weights and measures been justly enforced, but the department has carried on an educational policy in the endeavor to eliminate certain trade customs and trade practices which in former years were condoned, but which have been demonstrated to be unfair and those customs have been gradually destroyed. The department has been one for the promotion of honesty in business. Generally, with business men, it has met with hearty cooperation and in the instances where this has been lacking, drastic enforcement of the law and even prosecution have followed. By the rigid enforcement of the law, the household now receives, because of the intervention of the state, that which it pays for, and by the public weighmaster act, the wrongs so long done the farming communities have been corrected.

Some conception of the amount of work done may be had when it is stated that during the past twenty-two months the total apparatus inspected has been 483,386, of which 174,688 have been corrected and 45,128 confiscated, and that there have been inspected during that period 2,826,291 containers, 294,488 of which have been confiscated.

## FLOOD CONTROL.

One of the grave problems of our state has ever been the control of the flood waters of the Sacramento River. The flood control project in which the legislature has participated and which is now under the control of the State Reclamation Board was planned originally by the federal government, primarily for the benefit of commerce and navigation and to remedy the injuries to the Sacramento River caused by hydraulic mining. If this project may be carried out, it will control the floods of the Sacramento River, the fourth largest river in the United States, and will make possible the development of inland waterways; and will open the way for permanent reclamation and safety of valuable lands, including the State Capital itself.

Engineers are agreed that no other feasible plan than that suggested by the federal government will accomplish results. The progress that has thus far been made is shown by the report of the Reclamation Board. The work done by the United States government has been done with appropriations made under what has been termed the "minor project," recommended by the Chief Engineer for Rivers and Harbors,

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1907, supplemented by equal appropriations from the state. The limit of that project will soon be reached, and further work must then depend on the adoption by congress of the "major project" as recommended in the reports of the Chief of Engineers for 1910 and 1913. Adoption of that project is provided for in the Flood Control Bill of congress passed last spring by the House of Representatives and favorably reported recently by the Senate committee. That bill contemplates appropriations by congress in the aggregate of $5,600,000, conditional on California appropriating a similar amount to be expended in the opening of the river's mouth and the construction of four weirs, the portions of the project reported by the engineers to be in the interest of commerce and navigation.

The bill provides that not more than $1,000,000 shall be appropriated by congress for the purpose in any one year, that amount of appropriation being based upon the recommendation of the Chief Engineer for Rivers and Harbors. If this flood control bill shall be passed by the senate, it will be incumbent upon the legislature to determine the attitude of the state and to fix the amount of the appropriation for the ensuing two years.

## CALIFORNIA SCHOOL FOR GIRLS.

Until 1913, the girls who were the wards of the state were cared for at the Whittier School, but in the legislative session of that year provisions were made for the segregation of the girls, and the California School for Girls was established. A board composed entirely of women was appointed as the managers of this particular institution, and that board consists of Mrs. E. P. Foster, Mrs. Seward A. Simons, Mrs. D. G. Stephens, Mrs. L. B. Hogue, and Mrs. Mary C. Bell.

In the construction of the school the cottage plan was adopted. There are now four cottages with accommodations for 126 girls. The policy established in the new school is segregation and individual development. In the language of Mrs. Weymann, the superintendent of the school, "The moral development of the individual girl begins with the acceptance of the school as an opportunity—the only element of discipline or control in vogue is the teaching of self-control. All privileges and opportunities are won by this method. All punishment is the deprivation of privileges."

There have been one hundred paroles from the school since July, 1914. Six only have been returned as violators. Many of the girls have returned to spheres of usefulness and many have satisfactorily married. The school under the control of its women managers, with its woman superintendent, is an unqualified success.

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## THE STATE PRINTING OFFICE.

Since California's adoption of free textbooks for public school pupils, there has been an increased agitation in many states for a like policy. Many inquiries have come to me concerning our State Printing Office and the success of the commonwealth in printing school books. Many of the inquiries suggested that various reports have been circulated that the maintenance of our State Printing Office and the printing of our school books have been wasteful, extravagant and unsuccessful. Whence these reports emanated, I am unable to say. Perhaps they were justified by our experience under the old regime, but in the last few years, under the new order in California, we have demonstrated in this department, just as in every new activity of the state, that the state, when its service has an undivided allegiance to the state, can perform any task in successful competition with any private enterprise. The cost of the production, because of the prevalence of these methods which have been described in previous pages and because of the conditions which were unearthed and remedied by the Board of Control, formerly was scandalously high. Today the cost of output will challenge comparison with any competitors in the commercial field.

We are now producing through our state printing plant for $4.60 the series of textbooks for which the children of other states are paying $12.00. Since the inauguration of the free textbook system some 3,750,000 books have been distributed, and over the former cost of manufacture a saving has been effected of approximately $350,000. More than one and a half million of dollars have been saved from what the private book companies would have exacted.

In addition to this amazing showing as to the cost of textbooks, the printing plant has saved about $50,000 a year in comparison with the upkeep under the old regime. Just one concrete example, and the record is replete with many, will illustrate the difference. The price of ink before the State Printing Office was taken over by this administration was $2.50 per pound. Under business methods and fair competition, contracts for exactly the same ink were entered into by the new order at 35 cents a pound.

The first appointee of this administration as State Printer was Friend W. Richardson, and when he became State Treasurer, he was succeeded by Robert L. Telfer. The results attained under their management reflect not alone the highest credit upon them, but furnish an object lesson of efficiency and economy in the state's business.

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## THE NATIONAL GUARD.

The extraordinary events of the past year, the call by the federal government for the citizen soldiery of the nation, startled us for an instant into a realization of the necessity for some sort of adequate military preparedness, and our utter lack of it under the present system.

The California militia, under Adjutant General Forbes, and his successors, General Thomas and General Borree, had reached the highest state of efficiency the present system permitted; and yet, when we saw assembled those who were near and dear to us, who constituted a part of our homes and made up our community life, there was impressed upon us with a distinctness which neither our materialism nor our love of peace ought ever to be permitted to obliterate, the utter inadequacy of the nation's present military establishment to meet sudden emergency or immediate peril. And these observations I make as a Californian, proud of the militia of this state, of the personnel of its soldiers and its officers, of its immediate enthusiastic and self-sacrificing response to our country's call, and of its record unsurpassed by any other state.

The first troops of California reached the state mobilization camp at Sacramento June 22, 1916, and the last of California's troops left for our border July 5, 1916. About 4,500 Californians answered the call and patriotically and bravely did their part.

The story of the mobilization of the militia of the nation, the lack of equipment from the federal government, the impossibility of men called in a moment from the ordinary walks of life being physically fit to undergo the rigors and fatigues of an immediate military campaign, were so vividly and indelibly impressed upon us but yesterday that it is unnecessary to recall them. Of course, the issue of preparedness is a national and not a state problem. We could do our part only upon the lines that our nation should decree or in that detached detail which might, as a preliminary, be an aid to the national plan.

California six years ago entered upon a policy of preparedness socially and industrially. Those who have participated in the consummation of this policy are not in any sense militaristic; but the recent world-wide events, the brief military operations of our own nation, have brought the sorrowful realization that we may only maintain and preserve our governmental advance and achievements by our ability to defend them.

It is not my purpose to present to you any dissertation upon preparedness. I have endeavored to follow the views as expressed in other states of the Union, and I have read with interest such laws as that enacted in New York whereby public school pupils over the age

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of eight are now required to devote under proper instruction twenty minutes per day to exercises which will render them most physically fit. I suggest to you the subject, not only as an appropriate one for consideration, but as one of transcendent importance.

## SUPERINTENDENT OF CAPITOL BUILDING AND GROUNDS.

By an act of the legislature of 1911, the position of Superintendent of Capitol Building and Grounds was created and the old system of a Capitol Commission abolished. The superintendent appointed was George G. Radcliff. In the administration of his office, he has had not alone the care of the State Capitol and the beautiful park adjacent thereto, but up to the time of the appointment of the purchasing agent of the state, he furnished to the various officials stationery and the like required by their offices.

A greater efficiency in the management of the Capitol and in the Capitol Park resulted, and, as shown by the reports of the superintendent, his purchases were made for sometimes one half and often as little as one third the amount formerly paid for stationery, pencils, inks, pads, etc. The improved condition of the capitol and park since the superintendent was appointed furnish ample justification for the new department.

## HARBOR COMMISSION.

The change in the spirit and character of administration has been nowhere more marked than in the control of the San Francisco harbor. Unlike most American harbors, the administration of San Francisco's has been, from its inception, retained in the direct control of the state. Its unique geographical location, its incomparable natural advantages, its perfect security from storms, its widespreading connected navigable river system, ramifying through an immense territory of fabulous agricultural and mineral wealth, mark it as destined to take foremost rank among the greatest ports of the world.

The necessities of the old political machine formerly made this harbor the dumping ground of its henchmen. The control of that political machine by a single railroad made it of interest to that railroad to dwarf and cramp development. The great harbor of San Francisco for many years was used merely as a bit of private property for the advancement of political and business interests of the one great transportation company that dominated the state. When the old system was overturned it was found that about two-thirds of the existing twenty-six piers were in such state of dilapidation as to be practically

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useless. The task undertaken by the Harbor Commissioners, J. J. Dwyer, Thos. S. Williams, and J. H. McCallum, was tremendous, and as their work proceeded, from those who had participated in the profit derived from a state owned harbor devoted to political exploitation, arose a storm of outcry, criticism and misrepresentation. The satisfactory answer today is that the gigantic task set for the Harbor Commission has been done, and well done. The system of private control has been eliminated, favoritism among shippers has been abolished, and all are treated justly and with equality. Seventeen wholly new piers have been constructed, nineteen have been largely reconstructed. The area of piers has been increased 122 per cent. The berthing space available for vessels has grown from five miles to thirteen miles. In the new construction the best modern practices have been followed and San Francisco leads the world in the length and weight of reinforced concrete cylinders or precast reinforced concrete piles. Ship and rail have been brought together by new construction of state owned rail lines about the harbor.

In a brief period San Francisco harbor has been transmuted from a privately operated appurtenance of a single corporation into a tremendous asset not alone to San Francisco but to the entire state of California.

## STATE WATER PROBLEMS CONFERENCE.

In 1915, an act providing for a conference on irrigation, reclamation, water storage, flood control, etc., in order that a unified state policy with reference to these important subjects should be suggested, was duly passed. The commission consisted of certain officials designated by the act, and certain appointees of the Governor, and when completed was as follows: Lieutenant Governor John M. Eshleman, Speaker of the Assembly C. C. Young, Senators L. J. Maddux, W. F. Chandler, Assemblymen L. L. Dennett, E. L. Sisson, State Engineer W. F. McClure, Chairman W. A. Johnstone of the Water Commission, President V. S. McClatchy of the Reclamation Board, Chairman J. C. Baumgartner of the State Conservation Commission, R. J. Anderson, W. P. Boone, Charles L. Donohoe, L. J. Edwards, J. B. Olcese and F. E. Woodley.

A most careful and conscientious work has been performed by this commission. The tremendous importance to the state of its irrigation, reclamation and flood control problems is, of course, obvious and if a unified policy could be determined upon which would utilize the efforts now being independently exerted in behalf of each, the benefits to the state would be inestimable.

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An elaborate report has been filed by the conference and many recommendations have been made. The earnest labor that has been done and the exhaustive character of the report justify the most careful consideration of the subject by the legislature. I am not clear as to the advisability of many of the recommendations, but no more important matter could engross your attention, and I commend to you the report of the conference and ask that after careful investigation you determine upon appropriate action in the premises.

## LAND COLONIZATION AND RURAL CREDITS.

Your predecessors directed the appointment of a commission to investigate and consider the question of land colonization, the various forms of land banks, cooperative credit unions and other rural credit systems. Subsequently, in accordance with this direction, Dr. Elwood Mead, Harris Weinstock, David P. Barrows, Mortimer Fleishhacker and Chester H. Rowell were appointed as commissioners.

The subject with which the commission dealt is one which, of late years, has been occupying our most intelligent thought. The opportunities for fortune have been so many and attractive, and the aspiring from the country in such large numbers have sought the city as the goal of their ambitions, that the balance between city and country has been seriously menaced. Today it is recognized that policies must be adopted which will make farm life more attractive and increase its appeal to intelligent men and women. Greater economic pressure in European countries has more sharply presented the problem, and governments have undertaken to create conditions which would afford farmers and farm laborers a more independent and more generous life.

In all these European countries the methods for improving rural conditions are alike in essential features. Estates are bought, subdivided, made ready for settlement and cultivation, and then sold to frugal and industrious men of small capital. The use of the government's credit permits conditions of payment so liberal that the amount required to pay for the land and its equipment may be earned from the soil. The benefits which have followed have come not alone to the agricultural but to the political and social conditions.

In Germany, Denmark, Ireland and Russia, a country life which formerly had at one end of its social scale the owner of great landed estates, who often lived elsewhere, and at the other end a poverty stricken and discontented peasant or equally dissatisfied farm laborer, is being displaced by new conditions, in which extremes of wealth and poverty alike are absent; and in addition to this, those who now enjoy

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landed independence, have an added patriotism and affection for the government, because of what that government has done for them.

The conditions in our own vast country, which for many years kept from us the problem of European nations, are fast disappearing, and it is becoming more and more difficult for men of little capital to become farm owners. An increasing percentage of land is being cultivated by tenants and the population of the country is not keeping pace with that of the cities. The members of the commission selected by me to study the problem in its relation to our state possess more profound knowledge of the subject and deeper insight into the problem than perhaps any body of men who could be chosen. The commission in its report, which is a most valuable contribution to the particular subject, makes it clear that action by the state to broaden opportunities to establish homes on country lands will bring in no other place greater results than in California. The commission insists, and with this we can all agree, that the advantages of rural life in California are so great that they ought to be enjoyed, and that it is the state's duty to create opportunities worthy of this environment.

The commission suggests the purchase, subdivision and settlement by the state of a sufficient area of land to serve as a concrete example of the methods and policies that have proved so valuable elsewhere, and to demonstrate to the owners of great landed estates what can be done by scientific planning, thorough business organization and the use of adequate capital in the initial stages of development.

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In the preceding pages I have attempted only to present in the briefest fashion some of the activities which have been initiated and administered under the new order that has obtained in California.

The achievements of these various departments may be measured not only by the beneficent results of their particular tasks, well performed, but by the changed viewpoint concerning the public service and the obligations of the public service to the people. Into every activity of our government have been infused an enthusiastic effort, a healthy ambition and a new conscience. Volumes might be written of improvements in the hospitals for the insane, of how they have been modernized and how their superintendents, conscious now that they have the full backing of the state administration in the performance of their allotted tasks, and that they are judged by the results in their particular fields, have, with added faith and renewed confidence, gone forward with their work. Every patient in these hospitals has been benefited, his living conditions have been improved and the helpless wards of the state finally receive the fostering and the tender care that is their due from the commonwealth. The service of the state which has become, in reality, a service for the people, in every department of government, has made tremendous advances.

The State Board of Health, under the presidency of Dr. Geo. E. Ebright, of San Francisco, has entered upon a marvelous career of usefulness, has aided our cities and our towns and has solved problems involving fundamental existence with our people.

The Board of Charities and Corrections, the Horticultural Commissioner, the Building and Loan Commissioner, the State Board of Agriculture, the State Mineralogist, the State Library, the Motor Vehicle Department and every other activity fired by the religion of public service, inspired by a new faith in democracy, have given unto the people a conscientious devotion which has brought immeasurable advantages. And with all the renewed activity and ambitious projects that have been undertaken, the finances of the state were never in better condition. Where we found a deficit of $268,000, there is today a surplus of $4,500,000, and for every dollar expended by the state, its full equivalent in value is received.

In closing, I say to you, as I said four years ago to the legislature which first assembled after the initiation of our new policies:

"California is a state to inspire the enthusiasm and the devotion of all who are privileged to live in it or called to serve it. Its resources are without limit. The imagination of our generation can not even picture the possibilities of its development. In the past decade its growth in population and industrial progress has been marvelous. The next decade will far exceed the last. Materially our destiny and our

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rank among the states of the world are assured. In the more subtle influences of environment our state stands alone. Nowhere else is there so much charm of climate and natural beauty, so much of the realization of possibilities, not yet unfolded. Standing at the very foreground, not merely of a nation, but of a race, the last station of the westward march of occidental civilization and the final frontier between the two halves of the world, we occupy a unique place which lays upon us a unique responsibility. To the material responsibilities, we shall rise. It is your task to see to it that we rise to the governmental responsibilities also, to afford this people the agencies of self-government with which to fulfill its destiny and as the representatives of the people to do in their interest their sovereign will. The experience of your immediate predecessors determines that this is no impossible aspiration, and I look with confidence to see you carry even further forward the work they so well begun."

Sacramento, California, January 8, 1917.

Governor.

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# APPENDIX.

## PARDONS.

L. L. BARNARD, pardoned January 8, 1915. Convicted in Alameda County of embezzlement and sentenced November 6, 1910, to a term of six years in San Quentin. Pardon granted day before expiration of term; recommended by Superior Judge William H. Donohue, of Alameda County, Wm. Kehoe, State Senator, Judge C. H. Connick, of Eureka, and C. P. Cutten, former State Senator.

JOHN J. TANSEY, pardoned January 18, 1915. Convicted in San Francisco of manslaughter and sentenced June 1, 1908, to a term of ten years in San Quentin. Recommended by Wm. H. Langdon, who was District Attorney of San Francisco when Tansey was convicted, and by James M. Hanley, who, as Assistant District Attorney, had active charge of the prosecution. Many others who knew the circumstances joined in the recommendation. Showing made of doubt as to guilt.

CHARLES H. THORNE, also known as Chas. Dorsey, pardoned February 2, 1915. Convicted in Nevada County of murder and sentenced to serve his natural life in San Quentin, where he was received on March 15, 1883. Recommended by Chief Justice F. M. Angellotti, and Associate Justices M. C. Sloss, F. W. Henshaw and William P. Lawlor, of the Supreme Court, and by the State Board of Prison Directors.

WILLIAM WARBURTON, pardoned February 3, 1915. Convicted of murder in the second degree in Marin County and sentenced on June 17, 1901, to a term of thirty years in San Quentin. Recommended by Chief Justice F. M. Angellotti of the Supreme Court, who was the trial judge when the defendant was convicted; by Thos. J. Lennon, Presiding Justice of the District Court of Appeal of San Francisco, who defended Warburton; by Frank R. Devlin, member of the State Railroad Commission, and W. J. Palethorpe, of Los Angeles.

GEORGE ELLING, pardoned March 3, 1915. Convicted in Sutter County of interfering with electric wires and sentenced on July 28, 1913, to serve eighteen months in San Quentin. Term expired October 28, 1914. Recommended by Judge E. P. McDaniel, who imposed the sentence, and Lawrence Schillig, who conducted the prosecution.

HENRY MOYLE, pardoned March 20, 1915. Convicted in Calaveras County of murder in second degree and sentenced April 21, 1899, to a term of thirty-five years in San Quentin. Recommended by Judge John Hancock, District Attorney J. P. Snyder, Warren Doan, who was the official reporter of the trial, and by numerous citizens of Amador and Calaveras counties.

WESLEY M. WALDEN, pardoned May 5, 1915. Convicted in Fresno County of embezzlement in October, 1907, and sentenced to serve seven years in San Quentin. Pardoned December 17, 1910, on condition that he remain out of the State of California. Full and complete pardon recommended by Associate Justice Lucien Shaw of the Supreme Court. Conduct had been praiseworthy since release from prison.

A. J. RONSSE, pardoned August 7, 1915. Convicted in San Diego County of simple assault and sentenced to serve six months in the county jail, which term commenced on February 7, 1915, and was about to expire. Recommended by Deputy District Attorney W. F. Schuermeyer, by Colonel Ed Fletcher, by Chief of Police J. K. Wilson, of San Diego, and by E. Bell Robinson, police woman connected with the Juvenile Department of San Diego.

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JOSE H. NEAL, pardoned September 16, 1915. Pleaded guilty in Alameda County to a charge of felony embezzlement, and sentenced March 11, 1913, to a term of three years in Folsom prison, which expired on July 16, 1915. Recommended by Judge Wm. H. Donohue, by Sheriff F. H. Barnet, and by T. S. Montgomery, Superintendent of the Pacific Portland Cement Company, by which Neal was employed during parole, and by State Senator E. K. Strobridge.

JOSEPH HARTZEL, pardoned September 17, 1915. Convicted in Sonoma County of arson and sentenced May 15, 1911, to a term of seven years in San Quentin. Recommended by Assistant District Attorney G. W. Hoyle, by District Attorney Clarence F. Lea, of Sonoma County, by Judge Frank H. Dunne, and many residents of Sonoma County.

SILAS M. SWINNERTON, pardoned November 6, 1915. Convicted in Imperial County of grand larceny, and sentenced on February 28, 1914, to serve a term of two years at San Quentin. He had paid the penalty the law demanded and a showing was made of exemplary conduct while on parole and following expiration of the term of imprisonment.

WILLIAM J. HUBBARD, pardoned November 22, 1915. Convicted in Yuba County of issuing fictitious check, and sentenced February 10, 1915, to one year in San Quentin. He was twenty-one years of age, and the sentence was about to expire. Recommended by Judge K. S. Mahon, of Sutter County.

THOMAS CONWELL, pardoned December 17, 1915. Convicted in San Francisco of robbery, and sentenced March 10, 1910, to a term of fifty years in San Quentin. Recommended by Chief Justice F. M. Angellotti, Associate Justices M. C. Sloss, W. G. Lorigan, William P. Lawlor, Lucien Shaw, and Henry A. Melvin of the State Supreme Court. Dr. L. L. Stanley, Resident Physician at San Quentin, certified that the prisoner was about to die.

CHARLES GILSTRAP, pardoned January 22, 1916. Convicted in the court of the Justice of the Peace of Modesto Township, County of Stanislaus, of having engaged in the itinerant vending of drugs, etc, in violation of law, and sentenced to pay a fine of $100, with the alternative of serving 100 days in the county jail. Recommended by Judge W. H. Langdon, Judge L. W. Fulkerth, Sheriff George T. Davis, District Attorney J. M. Cross, Mayor D. W. Morris, Justice of the Peace W. H. Rice, Senator L. J. Maddux, and other officials of Stanislaus County.

WILLARD P. BURKE, pardoned January 26, 1916. Convicted in Sonoma County of depositing and exploding an explosive with intent to injure a human being, and sentenced on February 6, 1911, to a term of ten years in San Quentin. Recommended by Judge Emmet Seawell; by District Attorney Clarence F. Lea; by nine members of the jury; by State Treasurer Friend W. Richardson; by the five members of the Board of Supervisors of Sonoma County, and by such well-known citizens of that county as Luther Burbank, State Senator H. W. Slater, former State Senator L. W. Julliard, John L. Mercier, J. P. Overton, E. L. Finley, C. O. Dunbar, G. W. Libby, F H. Kellogg, and Rolfe L. Thompson.

MICHAEL NOLAN, pardoned February 7, 1916. Convicted in San Francisco of robbery, and sentenced to a term of twenty-five years in San Quentin, where he was received August 13, 1903. A brief part of Nolan's sentence remained to be served. During his parole he had won the friendship of many persons who earnestly pleaded in his behalf. Overwhelming testimonials were given that he had completely redeemed himself.

WILLIAM J. TROUTEN, pardoned February 8, 1916. Pleaded guilty in San Joaquin County to a charge of burglary, and sentenced December 29, 1914, to a term of two years in San Quentin. Recommended by the State Advisory Board of Pardons, Judge J. A. Plummer, and by State Senator H. Stanley Benedict.

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ALBERT H. GOTZSCH, pardoned February 11, 1916. Convicted in Sonoma County of statutory rape, and sentenced to a term of sixteen years in San Quentin, where he was received on February 11, 1908. Recommended by Judge Emmet Seawell and by District Attorney Clarence F. Lea.

FRANK I. SEARS, pardoned March 13, 1916. Convicted in Alameda County of embezzlement and sentenced March 12, 1913, to a term of four years in San Quentin. He had paid the full penalty exacted by the law. Recommended by James M. Hanley, former Assistant District Attorney of San Francisco, and by Victor H. Metcalf and Chas. T. Rodolph, officials of the bank where Sears was employed when he embezzled the funds.

EDWARD J. DUNCAN, pardoned April 11, 1916. Convicted in San Francisco of murder in the second degree, and sentenced to serve nineteen years in Folsom, where he was received July 16, 1904. Term was about to expire. Recommended by Associate Justice William P. Lawlor, of the Supreme Court, Congressman John I. Nolan, and by numerous residents of San Francisco who had known Duncan for many years and gave assurance of his worthiness of character.

LLOYD P. WOOD, pardoned April 20, 1916. Convicted in Sutter County of embezzlement, and sentenced on April 19, 1913, to serve four years in San Quentin. This term had expired. Recommended by Judge K. S. Mahon and by Lawrence Schillig; by W. H. Carlin, of Marysville, and Assemblyman Louis Tarke, of West Butte.

C. W. McALPINE, pardoned April 20, 1916, on expiration of term. Convicted in Alameda County of violating section 593 of the Penal Code and sentenced to serve five years in San Quentin, where he was received February 21, 1914. Sentence was commuted on April 10, 1915, from five to two and a half years. State Parole Officer Ed H. Whyte and many citizens gave testimonials of McAlpine's worthiness of character.

CHARLES VITERNA, pardoned April 22, 1916. Pleaded guilty in Santa Barbara to a charge of forgery and sentenced on March 18, 1908, to serve fourteen years in San Quentin. Only a few months remained of his term. Recommended by Judge S. E. Crow, District Attorney Squier and Sheriff Nat Stewart; by City Attorney W. B. Butcher, of Santa Barbara, and by the State Parole Officer.

HARRY H. THOMPSON, pardoned April 25, 1916. Pleaded guilty in Trinity County to a charge of burglary and sentenced on November 3, 1911, to serve seven years in San Quentin. Recommended by Judge J. W. Bartlett and District Attorney H. R. Given. Less than four months of the sentence remained to be served.

WILLIAM WILSON, pardoned April 26, 1916. Convicted in Contra Costa County of manslaughter, and sentenced August 4, 1913, to serve ten years in San Quentin. Recommended by Judge J. E. Barber, of Shasta County, and Judge A. B. McKenzie, and by Highway Commissioner Charles F. Stern.

ARTHUR R. PODD, pardoned May 29, 1916. Convicted in Sacramento County of robbery, and sentenced on June 1, 1910, to serve twelve years in San Quentin. He was then twenty years of age. Recommended by Superior Judge Malcolm C. Glenn, by former District Attorney E. S. Wachhorst, and Hugh Bradford, the present District Attorney.

PHILIP A. KILFOIL, pardoned July 13, 1916. Convicted in Los Angeles County of rape, and sentenced May 29, 1915, to serve twenty years in San Quentin. Recommended by Warden Jas. A. Johnston and Dr. L. L. Stanley, Resident Physician, who certified that the prisoner was about to die.

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ANDREW E. WARMINGTON, pardoned August 14, 1916. Convicted in Los Angeles County of two offenses of forgery. Sentenced to serve two consecutive terms of five and two years in San Quentin, where he was received November 4, 1909. Pardoned April 4, 1913, as to sentence of two years. Term completed June 4, 1913. Recommended by Willis I. Morrison, former Superior Judge of Los Angeles, and many other citizens of southern California.

FRITZ SIEGEL, pardoned September 29, 1916. Convicted in Tehama County of manslaughter and sentenced May 9, 1914, to serve three years in San Quentin prison. His term had expired. Recommended by A. H. Ludeman, of Red Bluff, and by Superior Judge John F. Ellison, of Red Bluff. Siegel was seventy years of age.

NELSON C. OAKLEY, pardoned October 7, 1916. Convicted in San Diego County of violating section 17 of the Medical Practice Act, and sentenced July 22, 1916, to pay a fine of $200 or in lieu thereof to serve one hundred days in the county jail. Since his conviction and before the execution of judgment, the defendant had taken the examination and qualified himself to practice his profession. Recommended by District Attorney Spencer M. Marsh, and by Louis H. Ward, Attorney for the State Board of Medical Examiners.

CHARLES A. FORD, pardoned December 8, 1916. Convicted in San Joaquin County of grand larceny and sentenced to serve five years in San Quentin, where he was received on March 14, 1914. Recommended by Superior Judge J. A. Plummer, by Charles L. Neumiller, Henry Eickhoff, C. E. McLaughlin, and B. B. Meek, State Prison Directors.

CHARLES R. BAKER, pardoned November 23, 1916. Convicted in San Francisco of manslaughter and sentenced September 21, 1914, to a term of three years at Folsom. His term was to expire within three months. Recommended by Superior Judge Geo. H. Cabaniss and Assistant District Attorneys Edward A. Cunha and James F. Brennan.

ROY S. LEADER, pardoned December 21, 1916. Convicted in Placer County of seduction under promise of marriage, and sentenced January 10, 1916, to a term of four years in Folsom. Recommended by Superior Judge J. E. Prewett, District Attorney J. B. Landis, Sheriff George McAulay, County Clerk Marshall Z. Lowell, and A. B. Reading, Official Court Reporter, all of Placer County; also recommended by the State Advisory Board of Pardons.

BENJAMIN P. HERNDON, pardoned December 21, 1916. Pleaded guilty in Los Angeles County to manslaughter and sentenced November 13, 1916, to a term of eighteen months in San Quentin. Recommended by Superior Judge Gavin W. Craig and by Mrs. Kemper B. Campbell, who, as representative of the District Attorney's office, conducted the preliminary examination. Affidavits also were submitted creating a reasonable doubt as to guilt of the prisoner.

DAVID McNEAL, pardoned December 26, 1916. Convicted in San Diego County of rape and sentenced April 7, 1916, to a term of two years in San Quentin. Recommended by Judge T. L. Lewis, District Attorney Spencer M. Marsh, and William E. Blair, Probation Officer of San Diego County; by W. C. McChord, First Lieutenant First Cavalry, United States Army.

EDWARD C. MILES, pardoned January 4, 1917. Convicted in San Francisco of grand larceny and sentenced to a term of five years in San Quentin, where he was received September 1, 1914. Recommended by Superior Judge F. H. Dunne and Maxwell McNutt, former District Attorney; also by State Advisory Board of Pardons, and by Chief Justice F. M. Angellotti.

FRANK W. ESOLA, pardoned January 4, 1917. Convicted in San Francisco of grand larceny and sentenced on June 14, 1913, to a term of five years at Folsom. Recommended by Superior Judge F. H. Dunne and James F. Brennan, Assistant District Attorney; also by Warden J. J. Smith. Term was about to expire.

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N. F. STERLING, pardoned January 4, 1917. Convicted in Mariposa County of passing a fictitious check, and sentenced May 1, 1907, to serve twelve years in San Quentin. His term expired January 1, 1917. Recommended by Superior Judge J. J. Trabucco and J. A. Adair, who, as District Attorney, conducted the prosecution; also recommended by the State Advisory Board of Pardons.

CHARLES R. A. SWAILE, pardoned January 5, 1917. Convicted in San Diego County of placing explosive near a dwelling, and sentenced to a term of twenty years in San Quentin, where he was received January 15, 1910. Recommended by Superior Judge W. R. Guy and ten members of the jury, who stated that the sentence was unduly severe; recommended also by State Advisory Board of Pardons.

## COMMUTATIONS.

CHARLES E. WALDMAN, sentence commuted January 18, 1915, from fourteen to ten years. Convicted in San Francisco of robbery and sentenced on March 4, 1911. Recommended by Judge Frank H. Dunne, who had been erroneously informed that the defendant was previously convicted of felony.

MARY L. BREWER, sentence commuted January 25, 1915, from thirteen to six years. Convicted in Alameda County of murder in the second degree, and sentenced on March 11, 1912. Recommended by State Senators Edward J. Tyrrell, Geo. J. Hans, Edw. K. Strobridge, A. H. Breed; Speaker C. C. Young, Assemblymen George Gelder, George Beck, Frank W. Anderson, Daniel Ferguson, Paul J. Arnerich, Harry Encell; also by W. J. Peterson, Chief of Police of Oakland.

JOSEPH DAZEVEADO, sentence commuted January 27, 1915, from five years to term ending January 29, 1915. Convicted in Butte County of grand larceny, and sentenced on January 16, 1914, when twenty-two years of age, to a term of five years in San Quentin. Recommended by Judge H. D. Gregory, District Attorney George F. Jones, Sheriff J. B. Webber, and Thurston Hill, complaining witness. The authorities of Butte County were agreed that one year of actual imprisonment was sufficient to satisfy the ends of justice.

LOUIS CHOUKALAS, also known as Louis Thonkalas, sentence of death commuted to life imprisonment January 30, 1915. Pleaded guilty in Inyo County to murder in the first degree, and sentenced on November 13, 1914, to be hanged at Folsom on February 5, 1915. Dr. F. W. Hatch, Superintendent of State Hospitals, and Dr. A. W. Hoisholt, Medical Superintendent of the Napa State Hospital, examined the prisoner and found him to be "so far mentally deficient either from epilepsy or from inborn weaknesses that humanity and justice would best be served by a commutation to life imprisonment." Also recommended by Dr. Thos. J. Cox, of Sacramento; by Judge Wm. D. Dehy, by whom the sentence was imposed, and by District Attorney P. W. Forbes, Sheriff Chas. A. Collins and other officials and citizens of Inyo County.

MIKE SINKORITCH, sentence commuted March 3, 1915, from fourteen to eleven years. Convicted in Sacramento County of burglary and sentenced to Folsom, where he was received February 8, 1908. Recommended by Judge Malcolm C. Glenn, by Eugene S. Wachhorst, former District Attorney, and by C. T. Jones, Chief Deputy District Attorney.

GEORGE BESSER, sentence commuted March 2, 1915, from twenty to ten years. Convicted in San Francisco in July, 1910, of murder in the second degree. Recommended by Judge Frank H. Dunne, by former employers, and others who were familiar with the circumstances and who knew Besser intimately.

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SHAFER COPELAND, sentence commuted March 17, 1915, from life imprisonment to ten years. Convicted in Sacramento County of robbery, when nineteen years of age, and sentenced February 5, 1912. Recommended by the State Board of Prison Directors and by Warden Jas. A. Johnston; by C. E. Favero and F. A. Fisch, who were held up by the defendant and his companion.

RAYMOND L. LA ROSE, sentence commuted March 17, 1915, from life imprisonment to ten years. Convicted in Sacramento of robbery when twenty-two years of age, and sentenced February 5, 1912. Recommended by State Board of Prison Directors and by Wardens Jas. A. Johnston and J. J. Smith.

C. W. McALPINE, sentence commuted April 10, 1915, from five to two and a half years. Convicted in Alameda County of violating section 593 of the Penal Code, and sentenced to serve five years in San Quentin, where he was received February 21, 1914. Recommended by John A. Britton, General Manager of the Pacific Gas and Electric Company, which owned the electric wire line that was tampered with. The district attorney had no objection to offer. Investigation established that the sentence of five years was unduly severe.

ROLLA ROBE, sentence commuted July 20, 1915, from life imprisonment to twenty-five years. Convicted in Los Angeles County of murder in the first degree and sentenced January 14, 1908. Recommended by State Senators Newton W. Thompson and Wm. E. Brown; by Warden Jas. A. Johnston, and by many residents of Los Angeles and Catalina. The defendant had no direct part in the crime and was under the dominance of a much older companion.

E. W. SCOTT, sentence commuted July 21, 1915, from fourteen to six years. Convicted in Sonoma County of rape and sentenced April 22, 1913. Recommended by Judge Emmet Seawell and by District Attorney Clarence F. Lea.

SYLVAN TAYLOR, sentence commuted July 31, 1915, from two and a half years to a term ending July 31, 1915. Convicted in Amador County, when eighteen years of age, of burglary in the second degree, and sentenced to Folsom prison, where he was received March 12, 1915. Recommended by Chief Justice F. M. Angellotti, Associate Justices Lucien Shaw, M. C. Sloss, and F. W. Henshaw, of the Supreme Court; by District Attorney Wm. H. Snyder, of Amador County; Superintendent C. A. Derrick of the Preston School of Industry, and by Warden J. J. Smith.

MILTON SIMONS, sentence commuted August 19, 1915, from two years to term ending forthwith. Convicted in Mendocino County of grand larceny, and sentenced in November, 1914. Recommended by Judge J. Q. White; by former District Attorney Robert Duncan, and by Sheriff R. R. Byrnes.

CHARLES P. SCHMIDT, sentence commuted August 19, 1915, from life imprisonment to a term ending forthwith. Convicted in Los Angeles County of rape, and sentenced on April 5, 1913. Recommended by Judge Frank G. Finlayson, by District Attorney Thos. Lee Woolwine, and by Malcolm McLaren. Affidavit was made by stepdaughter wherein she acquitted Schmidt of all blame and confessed that another was responsible for her downfall.

LEOPOLD MORENO, sentence commuted September 17, 1915, from one year, to term ending September 20, 1915. Convicted in San Joaquin County of receiving stolen goods, and sentenced March 13, 1915. Recommended by Judge J. A. Plummer and by C. L. Neumiller, President of the State Board of Prison Directors.

CLIFFORD R. KENNARD, alias Bert Walters, sentence commuted September 22, 1915, from four years to term ending forthwith. Pleaded guilty in Kern County, when twenty-two years of age, to a charge of forgery, and sentenced August 3, 1914. Recommended by Judge Milton T. Farmer, by Judge Howard A. Peairs, and by Warden J. J. Smith. District Attorney Barclay McCowan had no objection to offer.

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KENNETH C. JOHNSON, sentence commuted November 16, 1915, from six years to a term ending forthwith. Convicted in Contra Costa County of rape, when he was eighteen years of age, and sentenced December 19, 1914. Circumstances subsequently came to light tending to mitigate the seriousness of the offense. Recommended by District Attorney T. D. Johnston and Deputies Wilbur S. Pierce and A. S. Ormsby; by E. D. Taylor, former Deputy District Attorney, who assisted in the prosecution; by the City Council of Richmond; by W. Lindsey, Police Magistrate; by J. F. Galvin; by Jas. P. Arnold, Chief of Police of Richmond, and Superior Judge A. B. McKenzie.

FRANK ROBERTS, sentence commuted November 19, 1915, from twenty-five to fifteen years. Convicted in Butte County of robbery and sentenced to Folsom, where he was received September 21, 1911. Recommended by Chief Justice F. M. Angellotti and Associate Justices Henry A. Melvin, Lucien Shaw, William P. Lawlor, and M. C. Sloss of the State Supreme Court.

FRANK J. TURNER, sentence commuted December 16, 1915, from six years to five years. Pleaded guilty in Los Angeles County to burglary in the second degree and sentenced October 23, 1913. Recommended by Judge Gavin W. Craig, the sentence being one year in excess of the minimum penalty.

JOSEPH SORISSI, sentence commuted February 4, 1916, from one year to term ending forthwith. Convicted in Santa Clara County of assault with intent to commit murder. Recommended by Judge W. A. Beasly, who stated that imprisonment for six months was adequate punishment, and by Warden Jas. A. Johnston.

JOHN SMITH, sentence commuted February 8, 1916, from twenty years to a term ending forthwith. Convicted in Sacramento County of robbery and sentenced July 18, 1911. Recommended by the State Advisory Board of Pardons; by Warden J. J. Smith; by Eugene S. Wachhorst, former District Attorney, and by C. T. Jones, Deputy District Attorney of Sacramento County.

F. H. FRANKLIN, sentence commuted March 31, 1916, from thirty years to twenty years. Convicted in Los Angeles County in 1909 of robbery. Recommended by Judge Frank R. Willis, and by Chief Justice F. M. Angellotti, and Associate Justices Lucien Shaw, M. C. Sloss, and William Lawlor, of the State Supreme Court.

JOE SIEGEL, sentence commuted April 8, 1916, from life imprisonment to fifteen years. Convicted in Los Angeles County of murder in the first degree, and sentenced August 11, 1911, when he was seventeen years of age. Recommended by State Advisory Board of Pardons, by Dr. Martin A. Meyer, Judge Frank R. Willis, and former Deputy District Attorney Shannon of Los Angeles County.

GEORGE P. FRIEDELL, sentence commuted April 20, 1916, from life imprisonment to a term ending forthwith. Convicted in Solano County of murder in the second degree, and sentenced on March 1, 1892. Recommended by Chief Justice F. M. Angellotti, Associate Justices Lucien Shaw, M. C. Sloss, F. W. Henshaw, and William P. Lawlor, of the State Supreme Court. Record showed that Friedell did not participate in the actual killing and that person directly responsible for the homicide received considerations of clemency several years ago.

CHARLIE DAVIS, sentence commuted May 8, 1916, from five years to term ending forthwith. Pleaded guilty in Fresno County to charge of manslaughter, and sentenced May 6, 1915. Recommended by the Chief Probation Officer of Fresno County, by Superior Judges H. Z. Austin and George E. Church; by Christopher Ruess, Probation Officer of Alameda County; by Chester H. Rowell, and by many citizens of Fresno County, including such well-known attorneys as M. B. Harris, W. A. Sutherland, Frank Kauke, James Gallagher, E. M. Harris, T. R. Thomson, L. L. Cory, James A. Burns, C. A. Bonestell, M. K. Harris, E. S. Van Meter, S. L. Strother; and by all the Justices of the Peace of the county.

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THOS. W. DUNCAN, sentence commuted May 25, 1916, from life imprisonment to a term ending forthwith. Convicted in Trinity County of murder and sentenced April 13, 1912. Recommended by Warden J. A. Johnston and Dr. L. L. Stanley, Prison Physician, who certified that the prisoner was about to die.

CHRIS WRIGHT, sentence commuted July 15, 1916, from fifteen years to ten years. Convicted in Stanislaus County of murder in the second degree, and sentenced July 19, 1912. He was sixteen years of age at the time. Recommended by Superior Judge W. H. Langdon and State Senator L. J. Maddux.

JIM CIANO, sentence commuted July 31, 1916, from three years to term ending forthwith. Convicted in Fresno County of grand larceny, and sentenced December 15, 1915. Recommended by District Attorney M. F. McCormick and Superior Judge H. Z. Austin.

ADRIANO J. ROMERO, sentence commuted August 14, 1916, from ten years to a term ending forthwith. Convicted in Santa Barbara County of rape, and sentenced on November 18, 1913. Recommended by former Superior Judge Robert M. Clarke, now Deputy Attorney General; by H. Clifford More, of Gaviota; by Reginald Fernald and many other residents of Santa Barbara, and by Warden Jas. A. Johnston.

FRANK FORD CARLILE, sentence commuted August 21, 1916, from fourteen to ten years. Convicted in Sonoma County of assault with intent to commit murder, and sentenced February 3, 1913. Recommended by the State Advisory Board of Pardons; by Superior Judge Emmet Seawell and District Attorney Clarence F. Lea; by County Clerk W. W. Felts, Jr., and Sheriff J. K. Smith, of Sonoma County.

JOSEPH F. ROSSI, sentence commuted September 20, 1916, from twenty-five to fifteen years. Convicted in Sacramento County of burglary, and sentenced January 24, 1910. Recommended by the Supreme Court of the State and by the State Advisory Board of Pardons. Ten members of the jury joined in asking clemency.

GEORGE M. CAMPBELL, sentence commuted October 9, 1916, from ten to eight years. Convicted in Los Angeles County of statutory rape, and sentenced March 2, 1914. Recommended by the State Advisory Board of Pardons, by Superior Judge Gavin W. Craig, and by Deputy District Attorney George Cryer.

GEORGE STERLING, sentence commuted December 20, 1916, from twenty-five years to a term ending forthwith. Convicted in San Francisco of robbery and sentenced April 9, 1904. Recommended by the State Advisory Board of Pardons, Superior Judge F. H. Dunne, former District Attorney Randolph V. Whiting, and Chas. F. Reindollar, of San Francisco.

ADYSON BLAIR, sentence commuted December 20, 1916, from twenty years to a term ending forthwith. Convicted in San Francisco of murder in the second degree, and sentenced July 16, 1907. Recommended by the State Advisory Board of Pardons; by Franklin Swart, District Attorney of San Mateo County, and by Wm. Hoff Cook, former District Attorney of San Francisco, who conducted the prosecution.

JOHN EPPERSON, sentence commuted December 20, 1916, from thirty to eighteen years. Convicted in Plumas County of rape, and sentenced July 13, 1905. Recommended by the Advisory Board of Pardons; by Superior Judge J. O. Moncur, District Attorney M. C. Kerr, former District Attorney L. N. Peter, and Sheriff Braden, all of Plumas County, and by seven members of the jury.

WILLIAM B. STONE, sentence commuted December 20, 1916, from six years to a term ending December 21, 1916, on condition that Stone should immediately leave the state and not return. Convicted in Alameda County of forgery and sentenced November 30, 1915. Recommended by Chief Justice F. M. Angellotti, Associate Justices M. C. Sloss, Henry A. Melvin and William Lawlor.

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CLAUD CAMP, sentence commuted December 21, 1916, from life imprisonment to twenty years. Convicted in Solano County of murder in the first degree, and sentenced October 4, 1909. Recommended by the late A. J. Buckles, Superior Judge; Jos. M. Raines, who, as District Attorney, conducted the prosecution; by H. J. Widenmann, former member of the Assembly; Arthur Lindauer, present District Attorney, and J. J. McDonald, Sheriff, of Solano County; by Frank R. Devlin, former District Attorney and Superior Judge, and at present a member of the State Railroad Commission, and by the State Advisory Board of Pardons.

OTHO HOGE, sentence commuted December 21, 1916, from ten years to a term ending forthwith. Convicted in Los Angeles County of robbery and sentenced February 13, 1914. Recommended by Superior Judge Wm. D. Dehy, former Chief of Police C. E. Snively, of Los Angeles; Warden J. J. Smith, and by the State Advisory Board of Pardons.

## REPRIEVES.

FERANDO MAMMILATO, reprieved January 6, 1915, from January 8, 1915, to February 19, 1915, in order that further investigation might be made. Reprieved February 4, 1915, from February 19, 1915, to May 21, 1915. Reprieved May 10, 1915, from May 21, 1915, to July 23, 1915. Reprieved July 20, 1915, from July 23, 1915, to September 24, 1915. Reprieved September 16, 1915, from September 24, 1915, to October 29, 1915. Reprieved October 25, 1915, from October 29, 1915, to December 10, 1915. Reprieved November 23, 1915, from December 10, 1915, to January 28, 1916. Sentence of death commuted on January 26, 1916, to life imprisonment. Recommended by Judge Wm. S. Wells, who presided at the trial; by Chief Justice F. M. Angellotti, and by the State Advisory Board of Pardons.

LOUIS BUNDY, reprieved April 8, 1915, from April 23, 1915, to June 18, 1915, in order that further investigation might be made. Reprieved June 2, 1915, from June 18, 1915, to August 13, 1915. Reprieved August 10, 1915, from August 13, 1915, to October 15, 1915. Reprieved October 9, 1915, from October 15, 1915, to November 5, 1915.

BURR HARRIS, reprieved April 16, 1915, from April 23, 1915, to June 11, 1915. Reprieved June 2, 1915, from June 11, 1915, to August 6, 1915. Reprieved August 3, 1915, from August 6, 1915, to October 8, 1915.

NAT WESTON, reprieved June 2, 1915, from June 18, 1915, to August 20, 1915. Reprieved August 16, 1915, from August 20, 1915, to October 22, 1915. Reprieved October 18, 1915, from October 22, 1915, to December 3, 1915. Sentence of death commuted on November 23, 1915, to life imprisonment. Recommended by the State Advisory Board of Pardons, by former Judge B. V. Sargent, by Assistant District Attorney James A. Koford, by Sheriff Barnet, and by eleven members of the jury.

EARL LOOMIS, reprieved August 30, 1915, from September 3, 1915, to November 5, 1915.

GLENN WITT, reprieved September 16, 1915, from September 24, 1915, to November 19, 1915. Reprieved November 15, 1915, from November 19, 1915, to January 21, 1916. Reprieved January 17, 1916, from January 21, 1916, to March 3, 1916.

CHARLES E. T. OXNAM, reprieved September 16, 1915, from September 24, 1915, to November 19, 1915. Reprieved November 15, 1915, from November 19, 1915, to January 21, 1916. Reprieved January 17, 1916, from January 21, 1916, to March 3, 1916.

SAM ROBERSON, reprieved November 11, 1915, from November 12, 1915, to December 17, 1915, upon representations and request of Warden Jas. A. Johnston, in order that an examination might be made of the sanity of the condemned man.

UNG SING, reprieved January 18, 1916, from January 21, 1916, to January 28, 1916. Reprieved January 26, 1916, from January 28, 1916, to February 18, 1916.

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